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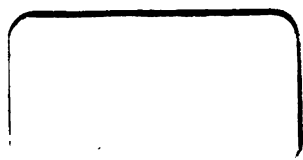
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THE STATE OF OHIO.

GENERAL AND LOCAL LAWS

AND

JOINT RESOLUTIONS,

PASSED BY THE

SIXTY-SIXTH GENERAL ASSEMBLY

AT ITS ADJOURNED SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS, JANUARY 6, 1885.

VOLUME LXXXII.

COLUMBUS:

MYERS BROTHERS, STATE PRINTERS.

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GENERAL LAWS.

[Senate Bill No. 212.]

AN ACT

Supplementary to an act to amend section 5189b of an act entitled "an act supplementary to title 1, division 3, chapter 2, sub-division 1 of the Revised Statutes of Ohio," passed and took effect March 29, 1881, passed April 15, 1881. (Vol. 78, p. 135 O. L.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section fifty-one hundred and eighty-nine (b) with sectional numbering as follows:

Section 5189b. That the commissioners of juries in the county of Hamilton, shall receive each three dollars for each and every day they are engaged in selecting jurors under the provisions of said section fifty-one hundred and eighty-nine (b) out of the county treasury upon the order of the county auditor, on the certificate of three of the judges of the court of common pleas, as to the number of days actually thus employed.

Compensation of commissioners of juries in Hamilton county.

Provided they are not engaged more than two weeks in any one year.

Proviso.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 8, 1885.

[Senate Bill No. 223.]

AN ACT

To authorize the sale of portions of cemetery grounds in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section twenty-five hundred and fifty-eight of the Revised Statutes, with sectional numbering as follows, to-wit:

Section 2558a. That in cases where villages of the first class are invested with title to real estate acquired in any other manner than by appropriation, and which said real estate is held in trust for the use of the inhabitants of such village and the inhabitants of a township in common for cemetery purposes, it shall be lawful

Sale by villages of first class of cemetery lands.

Convey-
ances.

Approval of
sale, by
whom, and
in what
manner.

Disposition
of proceeds
of sale.

for such village to sell any part thereof in excess of the amount required for cemetery purposes, and on which no lots have been sold nor interments made, and for the mayor and clerk of such village to convey the same by deed in fee simple; provided, that before any such sale shall be made it shall receive the approval of the village council, of the board of trustees of such township, and of the cemetery trustees, at a regular meeting of such bodies, or at a meeting of which all the members shall have notice that such matter would be acted upon; which approval shall be entered upon the minutes and recited in such deed of conveyance; and provided further, that the proceeds arising from such sale shall be applied only to the purpose of improving such cemetery or the avenues leading thereto.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 16, 1886.

[House Bill No. 406.]

AN ACT

Supplementary to section 4444, of title 5, chapter 20 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to section forty-four hundred and forty-four (4444) of the Revised Statutes of Ohio, and shall be designated section 4444a.

Standard of
measure-
ment for
bushel of
charcoal.

Section 4444a. The standard of measurement for a bushel of charcoal shall be twenty-seven hundred and forty-eight (2748) cubic inches.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 16, 1885.

[Senate Bill No. 159.]

AN ACT

To amend section 5026 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five thousand and twenty-six of the Revised Statutes be so amended as to read as follows :

Section 5026. An action other than one of those mentioned in the first four sections of this chapter, against a corporation created under the laws of this state, may be brought in the county in which such corporation is situate, or has, or had its principal office or place of business, or in which any corporation has an office or agent; but if such corporation is an insurance company, the action may be brought in the county wherein the cause of action, or some part thereof, arose; and if such corporation be organized for the purpose of mining, either exclusively, or in connection with other business, the action may be brought in any county where such corporation owns or operates a mine or mines, and the cause of action or some part thereof, arose.

Actions
against cor-
porations,
other than
those men-
tioned in
Secs. 5022,
5025 R. S.,
where to
bring.

SEC. 2. Said original section 5026 is hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeal.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed January 16, 1885.

[House Bill No. 606.]

AN ACT

Making appropriations for the support of the common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any moneys raised or accruing in the state treasury, for the support of the common schools, one million six hundred and twenty-three thousand four hundred and forty-two dollars and fifty cents (\$1,623,442.50), or so much as may come into the treasury for that purpose, to be distributed and paid in the manner provided by law, agreeable to section 3956, of the Revised Statutes.

Appropriation for the support of common schools.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed January 17, 1885.

[House Bill No. 244.]

AN ACT

To amend section 3906 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three thousand nine hundred and six of the Revised Statutes of the state of Ohio, be amended so as to read as follows :

Conduct of
election of
members of
the board of
education,
etc.

Section 3906. If the boundaries of the district and the city are indetical, or, if the territory has been detached from the city and attached to another district, the election shall be conducted exclusively by the judges and the clerks of the city election, but electors residing within the bounds of such detached territory shall not vote thereat ; but if territory outside of city limits is attached to the district, an election shall also be held for the same purpose in the township from which it was detached and conducted by the judges and clerks of the township election ; but only electors residing within the bounds of such territory shall vote thereat ; the election to be held at the same time and places as the elections for city and township officers are held.

Electors.
Time and
place of elec-
tion.
Repeal.

SEC. 2. That said section 3906 of the Revised Statutes, be, and the same is hereby repealed.

SEC. 3. This act shall be in full force and effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed January 20, 1885.

[House Bill No. 568.]

AN ACT

To amend section 1532 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one thousand five hundred and thirty-two of the Revised Statutes of Ohio, be and the same is hereby amended to read as follows :

Fees of
township
treasurer.

Section 1532. The treasurer shall be allowed, and may retain as his fees for receiving, safe-keeping and paying out moneys belonging to the township treasury, two percentum of all moneys paid out by him upon the order of the township trustees.

Repeal.

SEC. 2. That said original section 1532, be and is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed January 20, 1885.

[Senate Bill No. 199.]

AN ACT

To amend section 3897 of the Revised Statutes of Ohio, as amended March 25, 1880. (O. L. v. 77, p. 80.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-eight hundred and ninety-seven of the the Revised Statutes as amended March 25, 1880, (O. L. v. 77, p. 80), be so amended as to read as follows:

Section 3897. In city districts of the first class, the board of education shall consist of two members from each ward, except in districts organized under a law providing for one member only for each ward, in which districts the board may at any time, by a vote of the majority of its members, provide that thereafter each ward shall be represented by two members, and thereupon proceed to choose one additional member for each ward, to serve until the next annual election for city officers, and until the election and qualification of his successor; and each member of the board shall be an elector of the ward or of the township or part of a township which for school purposes has been or may be attached to said ward, for which he is elected or appointed: provided, that in city districts of the first class, having a population, according to the last federal census, of one hundred and fifty thousand, and over, the board of education shall consist of thirty seven members, twelve of whom shall be elected at the April election of the current year, to hold office as follows: The four members who receive the highest number of votes, for three years; the four who receive the next highest number of votes, for two years; the four who receive the next highest number of votes, for one year; and thereafter there shall be elected annually, four members to serve for three years. In case of a tie vote the choice of terms shall be determined by lot, and the remaining twenty-five members shall consist of those members of the board of education, elected at the April election in 1879, and whose terms of office do not expire until April, 1881; that, beginning with the April election of 1881, one member shall be elected from each ward of said cities; provided that, in cases where for school purposes, additional territory is attached to a given ward, said member may be elected from said additional territory as above provided; and such of said members as shall have been elected by wards having an odd numerical designation, or from territory attached for school purposes to said ward having an odd numerical designation as above provided, shall serve for a term of one year; and such of said members as shall have been elected by wards having an even numerical designation, or from territory attached for school purposes to said ward, having an even numerical designation, as above provided, shall serve for the term of two years; and annually thereafter, as the term of the members elected by said ward, or ward with territory attached for school purposes, as above provided, shall expire, successors shall be elected to hold for the term of two years. The members elected under this act shall hold office until their successors are elected and qualified; provided, that the board of education established by this act shall

Board of education in city districts of first class, constitution of, election of members and their terms of office.

be, in all respects, the successors of the respective boards whose places they take.

Repeal.

SEC. 2. That said original section number 3897 of the Revised statutes, as amended March 25, 1880 (O. L., v. 77, p. 80), be, and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 21, 1885.

[House Bill No. 607.]

AN ACT

Making appropriations to pay the principal and interest of the public funded debt, and interest on the irreducible debt.

Appropriations to pay part of the principal and interest of the funded debt.

Interest on funded debt.

Interest on irreducible debt.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For the payment of the principal of the funded debt, due July 1, 1885, three hundred and fifty thousand dollars (\$350,000).

For the interest on the funded debt, two hundred and nine thousand five hundred and seventy-two dollars and eighty-four cents (\$209,572.84), or so much thereof as may be necessary to pay the interest falling due July 1, 1885, and January 1, 1886.

For the interest on the irreducible debt of the state, which constitutes the school, ministerial, Ohio university and Ohio state university [funds], two hundred and sixty-six thousand four hundred and twenty-five dollars and sixty-one cents (\$266,425.61), or as much [thereof] as may be necessary to pay interest thereon.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[Senate Bill No. 266.]

AN ACT

To amend section 1 of "an act supplementary to an act relating to soldiers' memorial associations," passed April 2, 1884. (Vol. 81, O. L., p. 99.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first class and third grade, and cities of the second class and third grade, it shall be lawful for any association or corporation, organized or incorporated under any law of this state relative to soldiers' memorial associations, or monumantal building associations, or cemetery associations or corporations, to acquire, use and occupy for the purposes intended or declared by such association or corporation, any real estate which has been acquired by, donated to, or which may hereafter be acquired, purchased or donated to such corporation or association, which, in the opinion of the trustees, directors or managers of such association or corporation, may be necessary and proper to carry out the object intended for such association or corporation.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed January 29, 1885.

Empowering soldiers' memorial associations in cities of the third grade, first and second class, to acquire and hold such real estate as may be necessary to carry out their purposes.

[House Bill No. 295.]

AN ACT

Supplementary to section 2729 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to section twenty-seven hundred and twenty-nine of the Revised Statutes of Ohio, with sectional numbering as follows:

Section 2729a. The sinking fund commissioners in cities of the first grade of the first class, for the purpose of refunding the bonded debt, exclusive of street improvement bonds of the city for which such trustees act, at a lower rate of interest, and for the purpose of buying the fee simple of real estate held by the city under perpetual leases, wherein is secured to the city the option to buy the fee simple at a fixed price, and where the money to buy can be procured at a smaller rate of interest on the price than is represented by the stipulated rents, shall have power to make and issue the bonds of such city, with coupons or registered, due fifty years and redeemable thirty years from date, bearing interest at a rate not greater than five per centum per annum, payable semi-annually, to an aggregate amount not exceeding twenty-six millions of dollars, to be known as the _____ consolidated sinking fund

Sinking fund commissioners in cities of the first grade, first class, authorized to issue certain bonds for certain purposes.

- bonds (*filling the blank with the name of the city issuing the bonds*). The bonds shall be signed by the president of the trustees of the sinking fund, countersigned by the auditor of the city, and have the seal of the city issuing them affixed. [77 v. 142].
- Lettering and numbering of bonds issued for certain purposes. Section 2729b. Such of the bonds provided for in the preceding section as may be intended and used for refunding bonded debt which is payable out of or chargeable upon a special fund or special source of revenue, or is secured in whole or in part by any pledge or lien, shall be so lettered and numbered as to show the debt to which it is applicable. The secretary of the trustees of the sinking fund shall keep separate accounts of the proceeds and application thereof of bonds used to refund such debts, and of the revenues and sinking fund applicable to each class of said bonds, unless and until otherwise provided by law. Purchasers of any bonds authorized by the preceding section shall not be held responsible for the application of purchase money. The property, credit, and revenues of the city issuing such bonds shall stand pledged alike for all the bonds issued, without priority of right of any part of the bonds so issued by reason of priority of the date or sale of the same, or for any other reason. [April 9, 1880: 77 v. 142.]
- Application of proceeds.
- Security for bonds. Section 2729c. No consolidated bonds provided for in section twenty-seven hundred and twenty-nine (a) shall be made, unless or until the trustees of the sinking fund shall, by unanimous vote, have first made a contract with responsible parties, under ample security, for refunding at least a proportionate amount of the existing debt, on terms advantageous to the city, nor shall any of them be issued for any purpose other than the purpose herein authorized. [April 9, 1880: 77 v. 142.]
- Consolidated bonds only to be issued after compliance with certain conditions.
- Security provided for the payment of certain bonds not to be impaired whilst the sinking fund is insufficient for their payment. Section 2729d. So long as the sinking fund of such city shall be insufficient to pay, when due, interest and principal of any and all outstanding bonds issued under section twenty-seven hundred and twenty-nine (a), the security and means of payment provided for in sections two thousand seven hundred and twelve, two thousand seven hundred and thirteen, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-one, two thousand seven hundred and twenty-six, two thousand seven hundred and twenty-seven, two thousand four hundred and twelve, two thousand two hundred and twenty-eight, shall not be impaired, but shall stand pledged to the payment of interest and principal of said bonds. [April 9, 1880: 77 v. 143.]
- Appointment of clerk by the trustees of sinking fund in cities of first grade, first class. Section 2729e. The trustees of the sinking fund of any city of the first grade of the first class are authorized to employ a clerk, who shall give his whole time, or so much of it as they shall find necessary, to their assistance, and for a reasonable compensation, proportioned to service rendered, which shall be paid out of the sinking fund, and repaid to the sinking fund out of the general fund of the city not otherwise appropriated. Necessary expenses of the trustees of the sinking fund in issuing bonds, negotiating the refunding of the city debt, or other duties imposed by the four preceding sections, shall be paid from the sinking fund, and repaid from the general fund of the city not otherwise appropriated. [77 v. 143.]

Section 2729f. The provisions of sections twenty-seven hundred and seventeen, twenty-seven hundred and eighteen, twenty-seven hundred and nineteen, twenty-seven hundred and twenty, twenty-seven hundred and twenty-three, twenty-seven hundred and twenty-five, twenty-seven hundred and twenty-seven, twenty-seven hundred and twenty-eight, twenty-seven hundred and twenty-nine (a), twenty-seven hundred and twenty-nine (b), twenty-seven hundred and twenty-nine (c), twenty-seven hundred and twenty-nine (d), twenty-seven hundred and twenty-nine (e), relating to cities of the first grade of the first class, are hereby made applicable to cities of the third grade of the first class, and of the first grade of the second class. [80 v. 141, § 2.]

SEC. 2. The act entitled "an act supplementary to chapter 3, division 9, title 12, of the Revised Statutes of Ohio," passed April 9, 1880 (77 v. 142), and also section 2 of an act entitled "an act to amend sections 2715, 2716, 2721, 2722, 2724 and 2729 of the Revised Statutes of Ohio," passed April 16, 1883, (80 v. 139, 141), are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
 JOHN G. WARWICK,
President of the Senate.

Passed January 29, 1885.

Provisions
 of certain
 sections Re-
 vised
 Statutes
 relating to
 cities of first
 grade, first
 class made
 applicable to
 cities of third
 grade, first
 class, and
 first grade,
 second class.
 Repeal.

[House Bill No. 407.]

AN ACT

To amend section 2434 of the Revised Statutes of Ohio, as amended March 23, 1883. (O. L. v. 80, p. 71).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-four hundred and thirty-four (2434) of the Revised Statutes of Ohio, as amended March 23, 1883, be amended so as to read as follows:

Section 2434. Any municipal corporation except cities of the first grade of the first class, shall have power to contract with any individual or individuals, or any other incorporated company, for supplying water for fire purposes, or for cisterns, reservoirs, streets, squares and other public places within the corporate limits, or for the purpose of supplying the citizens of such municipal corporation with water for such time, and upon such terms as may be agreed upon.

Provided, that no such contract shall be executed or binding upon any such municipal corporation until the same shall have been ratified by a vote of the electors thereof, at a special or general election, and such municipal corporation shall have the same power to protect any such water supply and prevent the pollution

Municipali-
 ties, except
 cities of the
 first grade,
 first class,
 empowered
 to contract
 for a water
 supply.

Contract to
 be submitted
 to a vote of
 electors.

thereof as though such water works were owned by said municipal corporation.

Repeal.

SEC. 2. That said original section 2434, as amended March 23, 1883, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 29, 1885.

[House Bill No. 590.]

AN ACT

To amend section 68 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-eight of the Revised Statutes be so amended as to read as follows:

Entitling
certain per-
sons, institu-
tions and so-
cieties to re-
ceive certain
State docu-
ments.

Section 68. Each member and officer of the general assembly, for himself, and each clerk of each court of record, and each county auditor, for the use of their offices, respectively, shall be entitled to one copy of each journal and appendix, and one copy of the executive documents; each university, college, academy, or other literary institution, which now is, or may hereafter be, established in this state; each county agricultural society, each county council of patrons of husbandry, and the national asylum for disabled volunteer soldiers near Dayton, and each benevolent and eleemosynary institution of the state, shall be entitled to receive from the county auditor, one copy of the laws passed at each session of the general assembly; also, one copy of each journal and appendix, one copy of the executive documents, and one copy of the agricultural reports.

Repeal.

SEC. 2. That said original section 68 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 29, 1885.

[Senate Bill No. 288.]

AN ACT

To change the time for holding the March term of the court of common pleas in the county of Mercer for the year 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the March term of the court of common pleas, in the county of Mercer, as fixed by the judges of the third judicial district, be and the same is hereby changed, so that said term shall be held on the ninth day of March, 1885, instead of the time as fixed by said judges.

Changing
time for
holding
March term
of court in
Mercer
county.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 356.]

AN ACT

Authorizing the council of cities and villages to provide by ordinance for the examination, regulation and licensing of stationary engineers and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities and villages, the city or village council may provide by ordinance, for the examination, regulation and licensing of stationary engineers, and others having charge or control of stationary engines, boilers, or steam generating apparatus, within the corporate limits of such cities.

Authorizing
municipali-
ties to license
stationary
engineers.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 634.]

AN ACT

To amend section 968 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section nine hundred and sixty-eight be amended so as to read as follows:

Compensation of infirm directors; amount of; by whom allowed and how paid.
Accounts for extra services.

Section 968. The county commissioners shall allow the directors for their services in attending the regular and called meeting[s] of said board, such sum as they deem reasonable, not exceeding two dollars and fifty cents for each day's attendance, and the directors may be paid a reasonable compensation for extra services rendered in their official capacity, other than in attending regular and called meetings, not exceeding two dollars and fifty cents per day. The accounts of the directors for extra services so rendered shall be presented to and acted upon by the board of directors at their monthly meeting, and shall be endorsed, "approved by the board," and signed by the president and countersigned by the secretary, and then shall be presented to the county commissioners, at a regular session of the board, and shall be paid out of the county fund, after being allowed by them on the warrant of the county auditor.

Repeal.

SEC. 2. That said original section 968 is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 640.]

AN ACT

To amend section No. 6351 of the Revised Statutes of Ohio, as amended April 13, 1880, (O. L., vol. 77, pages 190, 191.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6351 of the Revised Statutes of Ohio, as amended April 13, 1880, be amended so as to read as follows:

Assignments.
Payment of liens, etc., and determination of questions of title.

Section 6351. The probate court shall order the payment of all incumbrances and liens upon any of the property sold, or rights and credits collected out of the proceeds thereof, according to priority; provided, that the assignee may, in all cases where the real estate to be sold is incumbered with liens, or where any questions in regard to the title require a decree to settle the same, commence a civil action for the sale of such real estate, in the court of common pleas of the proper county, making all persons in interest, including the wife of the assignor, parties to such proceedings; and, upon hearing, such court shall order a sale of the premises, the payment of incumbrances and the contingent dower interest of said wife, subject to the proviso hereinafter

contained, and determine the question involved in regard to the title to the same; and the proceeds of the real estate so sold by order of the court of common pleas, after the payment of liens and incumbrances, and the contingent dower interest of such wife, as ordered by such court, shall be reported to the probate court by the assignee, and disposed of as provided in this chapter; provided, that all the provisions of said section six thousand three hundred and fifty in relation to the wife of the assignor, as a party to proceedings thereunder, and her rights by virtue thereof; also, the provisions of said section as to ordering property sold at private sale and upon terms of credit, shall apply to proceedings under this section. Nothing in this section and said section six thousand three hundred and fifty shall be so construed as in any way to impair the right of homestead exemption, or the right of an allowance in lieu of homestead, or the mode provided by law for enforcing such rights.

Provisions of section 6350, R. S., made applicable to proceedings under this section.

Homestead rights not impaired.

Repeal.

SEC. 2. That said original section six thousand three hundred and fifty-one be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force on and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed January 30, 1885.

[House Bill No. 653.]

AN ACT

To amend section 1689 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1689 of the Revised Statutes be so amended as to read as follows:

Section 1689. Whenever the electors in any ward of any city or village exceed seven hundred and fifty, the council may divide the ward into as many voting precincts as it may deem proper, and the combined vote of such precincts shall be returned as the vote of the ward; but this section shall not apply when provision is otherwise made by law.

Division of a ward into voting precincts.

SEC. 2. Section 1689 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed January 30, 1885.

[Substitute for House Bill No. 247.]

AN ACT

To revise and consolidate the statutes relating to the organization and jurisdiction of the circuit and other courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 16, 83, 97, 110 as amended April 19, 1883 (80 v. 212), 149, 150, 204, 211, 352 as amended March 14, 1882 (79 v. 36), 439, and 443 of the Revised Statutes of Ohio, are so amended as to read as follows:

The great seal of the state; seals of courts; of state, county and municipal officers; of benevolent institutions and notaries public; size of and how engraved.

Sec. 16. All official seals shall have engraved thereon the coat of arms of the state, as described in the preceding section. The great seal of the state shall be two and one-half inches in diameter, and shall be surrounded by these words: "The great seal of the state of Ohio." The seal of the supreme court shall be two and one-half inches in diameter, and shall be surrounded by these words: "The supreme court of the state of Ohio." The seal of the circuit court, of the common pleas court, and of the probate court of each county, shall each be one inch and three-fourths in diameter, and each, respectively, shall be surrounded by these words: "Circuit court, _____ county, Ohio"; "Common pleas court, _____ county, Ohio"; "Probate court, _____ county, Ohio," (*in each case insert the name of the proper county*). The seal of all other courts of record shall be of the same size as the seal of the common pleas court, and each, respectively, shall be surrounded by the proper name thereof. The seal of the secretary of state shall be two inches and one-fourth in diameter, and shall be surrounded by these words: "The seal of the secretary of state of Ohio." The seal of the auditor of state shall be one inch and three-fourths in diameter, and shall be surrounded by these words: "The seal of the auditor of state of Ohio." The seal of the treasurer of state shall be one inch and three-fourths in diameter, and shall be surrounded by these words: "The seal of the treasurer of state of Ohio." The seal of each benevolent institution shall be one inch and three-fourths in diameter, and shall be surrounded by the proper name thereof. The seals of all other state, county, and municipal officers shall be one inch and three-fourths in diameter, and shall be surrounded by the proper name of the office. The seal of a notary public shall not be less than one inch and one-fourth in diameter, and shall be surrounded by these words: "Notarial seal, _____ county, Ohio," (*insert the name of the proper county*). All the seals mentioned in this section, shall contain the words and devices mentioned herein, and no other.

Commissions to be issued by the governor; to whom and when.

Sec. 83. Each judge of the supreme court, the circuit court, the common pleas court, and the probate court; each state officer, county officer, militia officer, and justice of the peace; and each officer whose office is created by law, and not otherwise provided for, shall receive from the governor a commission to fill such office, upon producing to the secretary of state a legal certificate of his being duly elected or appointed.

Sec. 97. If in case of demand for the surrender of a person charged with an offense committed in another state or territory,

the governor decides that it is proper to comply with the demand, he shall issue a warrant to the sheriff of the county in which such person so charged may be found, commanding him forthwith to arrest and bring such person before a judge of the supreme court, of the circuit court, or of the common pleas court, to be examined on the charge; and upon the return of the warrant by the sheriff, with the person so charged in custody, the judge before whom the person so arrested is brought, and to whom the warrant is returned, shall proceed to hear and examine such charge, and upon proof made in such examination by him adjudged sufficient, shall commit such person to the jail of the county in which such examination is so had, for a reasonable time, to be fixed by the judge in the order of commitment, and thereupon shall cause notice to be given to the executive authority making such demand, or to the duly authorized agent of such executive authority appointed to receive the fugitive; and, on payment of all costs by such agent, such fugitive shall be delivered to him to be thence removed to the proper place for prosecution; and if such agent does not appear within the time so fixed and pay the costs as aforesaid, the sheriff shall discharge the person so imprisoned.

Sec. 110. The governor may appoint and commission as notaries public as many persons, having the qualifications of electors, who are citizens of this state, residing in the several counties for which they are appointed, as he may deem necessary; and the governor shall have the authority to revoke any commission issued to any notary upon the presentation of satisfactory evidence of official misconduct, or incapacity; but before making any such appointment, each applicant shall produce to the governor a certificate from a judge of the common pleas court, circuit court, or supreme court, that the applicant is of good moral character, a citizen of the county in which he resides, and possessed of sufficient qualifications and ability to discharge the duties of the office of notary public; but no such judge shall issue such certificate until he is satisfied from his personal knowledge that such applicant possesses the qualifications necessary to a proper discharge of the duties of such office, and in case of a want of such knowledge, then not until such applicant has passed an examination showing that he possesses such knowledge, under such rules and regulations as such judge shall prescribe. [80 v. 212.]

Sec. 149. The great seal of the state, and the seals of the supreme court, the circuit courts, and the common pleas courts, and the seals of all state officers required by law to use a seal, shall, with presses therefor, be procured and furnished by the secretary of state, as the same may, from time to time, be necessary; and the expenses thereof shall be paid out of the appropriations for stationery.

Sec. 150. The secretary of state shall, annually, and as soon as he receives the information, prepare, print, and distribute a table, showing the times fixed by the judges for holding the terms of the circuit courts and the common pleas courts; which table shall be published in his annual report, corrected to correspond with any changes made therein by the judges or the general

How governor or may surrender fugitive on demand of another state.

Examination of fugitive.

Commitment of fugitive.

Notice to governor of other state.

Payment of costs.

Discharge of fugitive.

Appointment of notaries public

Revocation of commission.

Certificate of common pleas judge.

Examination of applicant.

Certain seals and presses shall be furnished by secretary of state.

Secretary of state shall publish table of times of holding courts, etc.

assembly, and it shall also, corrected as aforesaid, be published with the volume of the statutes at the close of each session of the general assembly; and whenever changes are made therein, he shall prepare, print, and distribute a new edition of such table.

Proceedings
in quo war-
ranto.

Sec. 204. He may prosecute any proceeding in quo warranto, in the supreme court of the state, the circuit court of Franklin county, or the circuit court of any county wherein the company proceeded against has a place of business, or the officer or officers, person or persons, made defendants reside or may be found.

In cases in-
stituted by
attorney-
general writs
to other
counties.

Sec. 211. In all cases instituted by the attorney-general under the provisions of this chapter, the writ may be sent to the sheriff of any county by mail, and returned by him in like manner, for which the sheriff shall be allowed the same mileage and fees as if the writ had issued from the common pleas court or the circuit court of his own county, and been returnable thereto.

Who may
visit the
public libra-
ry and take
books there-
from.

Sec. 352. All persons shall be permitted to visit the library; and examine and read the books there, without taking the same therefrom, under such regulations as the board of commissioners prescribe. Members and officers, and ex-members and ex-officers of the general assembly; state officers and clerks in the several departments of the state government at Columbus, and ex-officers of the same; the judges of the supreme court, of the supreme court commission, of the circuit court, and of the common pleas court; officers and teachers of the benevolent institutions of the state, and of the state university; officers of the penitentiary; widows of ex-members and ex-officers of the general assembly, and of ex-state officers; and clergymen resident of Columbus who are pastors of congregations, may take books out of the library under such regulations as the commissioners establish; but no such person has authority to give any other person an order to take out books, and if any person having such right, give such order, or otherwise obtain books from the library to be used by any other person not having such right, such person thereby forfeits all right to take books therefrom; provided, that the commissioners of the library are hereby empowered to extend the privilege of taking any book or paper from the library to any person who, in their judgment, shall be engaged in the preparation of any literary work of value to the public, or in the study of any special science or subject of art, editors and reporters of the press, and such other persons as may be employed in and about the state house in a clerical capacity, or otherwise, when in the judgment of a majority of the commissioners, it is proper to do so, which judgment shall be communicated to the state librarian in writing, signed by a majority of the board. [79 v. 36.]

No one auth-
orized to give
an order to
take out
books.

Commis-
sioners of li-
brary em-
powered to
grant the
right to take
out books to
certain per-
sons; in
what way.

Supreme
court may
prescribe
rules of prac-
tice; revi-
sion, record-
ing and pub-
lication of.

Sec. 439. The supreme court may prescribe such rules for the regulation of its practice, the reservation of all questions, and the transmission of cases from the circuit court, or the common pleas court, to the supreme court, and remanding the same, as may not be inconsistent with the statutes of this state; and when and as often as necessary, it may revise the same, and make all needful changes therein and establish such additional rules as may be deemed proper; and such rules shall be recorded in the journal of the court and published in such way as the court may direct. [§§ 439, 446.]

Sec. 443. Process issuing out of the supreme court shall be directed to the sheriff, or other proper officer of the county, where the same is to be executed, who shall serve and return the same; and the crier or messenger of the court may serve any rule, order, warrant, notice, or citation, issuing out of the court, and he shall receive the same fees therefor as other officers are entitled to for like services. [§ 444.]

Process issuing from supreme court how directed and served.

SECTION 2. That the chapter headings of Title 4, of Part First, of the Revised Statutes of Ohio are so amended as to read as follows:

Amendment

TITLE IV. JUDICIAL.

- CHAPTER 1. SUPREME COURT.
- CHAPTER 2. CIRCUIT COURT.
- CHAPTER 3. COMMON PLEAS COURT.
- CHAPTER 4. SUPERIOR COURT OF CINCINNATI.
- CHAPTER 5. SUPERIOR COURT OF MONTGOMERY COUNTY.
- CHAPTER 6. PROBATE COURT.
- CHAPTER 7. PROVISIONS APPLICABLE TO TWO OR MORE COURTS.
- CHAPTER 8. ATTORNEYS AT LAW.
- CHAPTER 9. JUSTICES OF THE PEACE.

SECTION 3. That Chapter 2, of Title 4, of Part First, of the Revised Statutes of Ohio is so amended as to read as follows:

CHAPTER 2.

CIRCUIT COURT.

SECTION

- 444. How many judges shall constitute the circuit court; term of office; when to begin.
- 445. How many circuits; of what counties each circuit is composed.
- 446. Quorum; who shall preside.
- 447. Jurisdiction of the circuit court.
- 448. Order in which causes shall be heard.
- 449. When and by whom the terms of the circuit court shall be fixed.
- 450. How many terms shall be held each year in each county.

SECTION

- 451. Court may make and publish rules of practice.
- 452. When causes may be heard out of the proper county; when special term may be held.
- 453. When judge of the circuit court may be transferred pro tempore to another circuit.
- 454. To whom process shall be directed; by whom served; fees for serving the same.
- 455. Salary of judges of the circuit court; when and how salary shall be paid.

Sec. 444. The circuit court shall consist of three judges in each circuit; one of whom shall be chosen every two years, and shall hold his office for six years, beginning on the ninth day of February next after his election. [81 v. 168, §§ 447c, 447d: See Const. Art. IV., § 13.]

The circuit court; how constituted; term of judges.

Sec. 445. The state shall be divided into seven judicial circuits, as follows:

The counties of Hamilton, Clermont, Butler, Warren and Clinton, shall constitute the first circuit.

First circuit.

- Second circuit.** The counties of Preble, Darke, Shelby, Miami, Montgomery, Champaign, Clarke, Greene, Fayette, Madison and Franklin, shall constitute the second circuit.
- Third circuit.** The counties of Mercer, Van Wert, Paulding, Defiance, Williams, Fulton, Henry, Putnam, Allen, Auglaize, Wood, Hancock, Hardin, Logan, Union, Seneca, Marion, Wyandot and Crawford, shall constitute the third circuit.
- Fourth circuit.** The counties of Brown, Adams, Highland, Pickaway, Ross, Pike, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Hocking, Athens, Washington and Monroe, shall constitute the fourth circuit.
- Fifth circuit.** The counties of Morrow, Richland, Ashland, Knox, Licking, Fairfield, Perry, Morgan, Muskingum, Coshocton, Holmes, Wayne, Stark, Tuscarawas and Delaware, shall constitute the fifth circuit.
- Sixth circuit.** The counties of Lucas, Ottawa, Sandusky, Erie, Huron, Lorain, Medina, Summit and Cuyahoga, shall constitute the sixth circuit.
- Seventh circuit.** The counties of Lake, Ashtabula, Geauga, Trumbull, Portage, Mahoning, Columbiana, Carroll, Jefferson, Harrison, Guernsey, Belmont and Noble, shall constitute the seventh circuit. [81 v. 168, § 447a.]
- Circuit court judges; what shall constitute a quorum.** Sec. 446. A majority of the judges of the circuit court, competent to sit, shall be necessary to form a quorum, or to make or render any order, judgment, or decree; but no judge shall absent himself from any term of court in his circuit or to which he has been assigned, except on account of sickness or unavoidable casualty, which cause furnished in writing by the absentee shall be entered on the journal, and in the event of the absence of any such judge, for any of the causes aforesaid, the judges present shall not proceed to the transaction of any business, until such cause of absence, in writing, shall have been entered on the journal. The judge in each circuit having the shortest time to serve, and not holding his office by appointment or election to fill a vacancy, shall preside, and, in case of his absence, the judge having in like manner the next shortest time to serve shall preside. [81 v. 168, §§ 447b, 451b.]
- Absence of judges.**
- Presiding judge.**
- Jurisdiction of the circuit court.** Sec. 447. The circuit court, in addition to the original jurisdiction conferred upon it by section six of article four of the constitution, may, on good cause shown, issue writs of supersedeas in any case, and all other writs not specially provided for, nor prohibited by statute, which may be necessary to enforce the due administration of justice. [81 v. 168, § 448a.]
- The order of cases on the docket; disposition of in the circuit court.** Sec. 448. All cases brought in or taken to the circuit court shall be entered on the docket in the order in which they are commenced, received, or filed, and they shall be taken up and disposed of in the same order; but cases where persons seeking relief are imprisoned or have been convicted of a felony; cases involving the validity of any tax levied, or assessment made, or the power to make such levy or assessment; cases involving the construction or constitutionality of a statute, or any question of practice, where the questions arising are of general public interest; and proceedings in quo warranto, mandamus, habeas corpus, or procedendo, may be taken up in advance of their assignment or order on the

docket; and when a case is dismissed or otherwise disposed of, and again comes into court, it shall be taken up as if it had retained its original place on the docket. [81 v. 168, § 452a.]

Sec. 449. The judges of the circuit court shall, on the third Tuesday in August, annually, meet in the supreme court room in the city of Columbus, and organize by choosing one of their number chief justice for the next judicial year, and they shall then issue an order to the clerk of the circuit court in each county of the respective circuits, fixing the time of the commencement of each term of the circuit court in each county in such circuit for the next judicial year, and deliver a copy thereof to the secretary of state. Such order may thereafter be changed by the judges in any circuit, when the business thereof shall require it; and until such changes have been made, the terms in each county shall be held at the times fixed by the judges, annually, in general convention. The clerk of the circuit court, upon the receipt of any such order signed by the judges of his circuit, shall immediately enter the same on the journal of the circuit court of his county, and such entry shall be sufficient evidence as to the legal terms for holding the courts as therein ordered; and such clerk shall cause a copy thereof to be published in one or more newspapers of general circulation in his county, once a week, on the same day of the week, for three consecutive weeks. [81 v. 168, § 454b.]

Sec. 450. Two terms of the circuit court shall be held in each county in each year; and the court may, when the business requires it, continue a term in any county beyond the time allotted to such county. [81 v. 168, §§ 449b, 453a.]

Sec. 451. The judges of the circuit court of the state, or a majority of them, may make and publish such uniform rules of practice for all the circuits, as they may deem proper, provided they are not in conflict with statute or the rules of the supreme court. [81 v. 168, § 451b.]

Sec. 452. When from any cause the circuit court shall fail to be held in any county, at the time prescribed by law, the court may hear and determine any action pending therein, if the parties agree, in any other county of the circuit, as is usual in cases taken under advisement, and certify its action back to the proper county for entry and record as of that term; and if from any cause there is a failure to hold a prescribed term of the circuit court in any county, the judges of the circuit court shall, if the business of such county require it appoint and hold a term therein, at as early a period thereafter as may be practicable. The clerk of the circuit court shall cause thirty days' previous notice of the holding of such special term to be published in one or more newspapers having a general circulation in such county. [80 v. 168, §§ 449b, 450a.]

Sec. 453. When a judge of the circuit court is interested in any cause or matter pending in the circuit court of any county of his circuit, or is related to either or any party to such cause, or has sat in a lower court in the same cause or matter, or is otherwise disqualified to sit in such cause or matter, he shall be transferred for the time being by the chief justice of the circuit court to another circuit in exchange for a judge of the circuit court who is qualified to sit in the trial or hearing of such cause or matter; and when-

Annual meeting of circuit court judges.

Chief justice.

Issuing and entry of order fixing times of holding court.

Number of terms in each county.

Rules of practice of the circuit court.

When and how the circuit court may hear and determine actions outside of the county in which they are pending.

Power of chief justice to exchange or assign judges to sit outside of their circuits, etc.

ever satisfied that the business of any circuit requires it, such chief justice shall assign any judge of the circuit court to hold court in a circuit other than the one in which such judge resides. [81 v. 168, §§ 454a, 454c.]

Process from the circuit court to whom directed and how served.

Sec. 454. Process issuing out of the circuit court shall be directed to the sheriff or other proper officer of the county where the same is to be executed, who shall serve and return the same according to the command thereof; and he shall receive the same fees therefor as such officers are entitled to receive for like services in the common pleas court. [81 v. 168, § 454f.]

Judges of the circuit court, salary of when and how payable.

Sec. 455. Each judge of the circuit court shall receive for his services an annual salary of four thousand dollars, payable quarterly out of the state treasury upon the warrant of the auditor of state, which shall neither be increased nor diminished during his term of office; but he shall receive no fees or perquisites, nor hold any other office of profit or trust under the authority of this state, or of the United States. [81 v. 168, § 447d.]

Amendments.

SECTION 4. That sections 457, 458, 459, 466 as amended April 13, 1880 (77 v. 200), 468, 472, 498, 499, 503 as amended April 13, 1880 (77 v. 188), 517, 518, 549, 550, 551, 552, 553 as amended February 15, 1884 (81 v. 22), 555, 557, 561, 563, 1211, 1242, 1273, 1321, 1322, 1323, 2960, 2978, 2980, 2994, 3005, 4969 as amended February 23, 1882 (79 v. 15), 5162, 5168, 5225, 5226 as amended April 16, 1883 (80 v. 117), 5227, 5228, 5233, 5235, 5236, 5237, 5239, 5255, 5269, 5354 as amended March 9, 1880 (77 v. 42), 5369 as amended April 14, 1880 (77 v. 201), 5376, 5415, 5573, 5584, 5587, 5727, 5861, 5865, 6709, 6710 as amended April 18, 1883 (80 v. 169), 6712, 6718, 6726, 6730, 6738, 6740, 6742 as amended April 15, 1880 (77 v. 265), 6768, 7196, 7356 as amended April 18, 1883 (80 v. 169), and 7362 of the Revised Statutes of Ohio are so amended as to read as follows:

Times of holding the common pleas courts; when and how to be fixed by the judges.

Sec. 457. The judges of the common pleas court in each common pleas district, or a majority of them, shall, on or before the first day of November, in each year, issue their written order to the clerk of the common pleas court in each county in such district, fixing the day of the commencement of each term of the common pleas courts, in each county in such district, for the next judicial year; and any order so made may be changed by a subsequent order made and issued by them to the several clerks of the court in the district; and the court shall be held for the year covered by such order or orders at the times so ordered; provided, that not less than three terms of the common pleas court shall be held in any county each year.

Number of terms to be held in each county.

Clerk of common pleas court to enter the order fixing the times of holding common pleas court on the journal.

Sec. 458. The clerk of the common pleas court of each county, on the receipt of any such order signed by the judges of the district, shall immediately enter the same upon the journal of the common pleas court of his county, and such entries shall be sufficient evidence as to the legal terms for holding the courts as therein ordered; and such clerk shall also cause a copy thereof to be published in one or more newspapers of general circulation in his county, once a week, on the same day of the week, for three consecutive weeks.

Sec. 459. At the time of making and issuing any original or amendatory order under the provisions of the two preceding

sections, the judges making such order shall cause a copy thereof to be forwarded to the secretary of state, who shall forthwith thereafter cause copies of the list of the times of holding the common pleas courts, so fixed for each common pleas district, to be made out, and one copy thereof to be forwarded to each judge of the common pleas court of the district.

Sec. 466. The judges of the common pleas court in Cuyahoga county may classify and arrange the business therein, and assign to each of the judges such portion of the business as may be thought proper, and such business may be disposed of by all or any number of the judges sitting together, or each sitting separately; and the judges may make such rules and regulations for the government of the officers of the court as may be proper for the efficient transaction of the business. [77 v. 200.]

Sec. 468. The judges of the common pleas court in each common pleas district, or a majority of them, shall, except as otherwise provided by law, at the time they fix the terms of the common pleas courts in their respective districts, having previously ascertained, as near as practicable, the probable amount of business in each of the counties of the district, apportion the labor of holding the common pleas courts of such district, as equally as may be, among the judges of the district; and the judges, when they issue their order fixing the terms, shall specify therein what terms, or parts thereof, of the common pleas courts shall be held by each judge, in accordance with such apportionment; and not less than two hundred and forty days of open session of the common pleas court shall be held by each judge during the year, unless all business assigned to him is sooner disposed of.

Sec. 472. The interpreter shall, without extra compensation, render such services in the circuit court, superior court, and probate court, as the judges of those courts may require.

Sec. 493. All laws conferring jurisdiction, in the actions enumerated, upon common pleas courts or circuit courts, giving them power to hear and determine such causes, and to preserve order and punish contempt, regulating their practice and forms of process, prescribing the force and effect of their judgments, orders, or decrees, and authorizing or directing the execution thereof, shall be held to extend to the superior court of Cincinnati as fully as they extend to the common pleas court, unless the same are inconsistent with this chapter or plainly inapplicable; and the superior court of Cincinnati, in respect to the form and manner of all pleadings therein, and the force and effect of its judgments, orders, or decrees, is a court of general jurisdiction.

Sec. 499. A judgment rendered, or final order made, by the superior court of Cincinnati at general term, may be reversed, vacated, or modified by the supreme court for errors appearing on the record.

Sec. 499a. A judgment rendered, or final order made, by said superior court of Cincinnati at special term, may be reversed, vacated, or modified by said superior court at general term for errors appearing in the proceedings at special terms, or by exceptions taken in accordance with chapter 4, title 1, division 3, part 3, of the Revised Statutes. The proceedings to obtain such reversal, vacation, or modification, shall be by petition to be enti-

Judges to forward copy of order fixing or changing time of, etc.

Common pleas judges in Cuyahoga county may classify their business and apportion the same.

Apportionment of judicial labor in each common pleas district.

Amount of such labor required of each judge.

Interpreter.

Superior court of Cincinnati; laws applicable thereto.

How far a court of general jurisdiction.

Its judgments how reviewed on error.

The proceedings in error

What to be filed with the petition in error.

Power of the court at general term to render judgment or remand to special term.

Questions arising at special term may be reserved for general term.

Judgments and final orders at general term how reviewable, etc.

Superior court of Montgomery county; what laws conferring powers, authority and civil jurisdiction are applicable thereto.

Judgments and decrees thereof reviewable on error or appeal to the circuit court.

Supreme or circuit courts may remand its judgments or decrees, etc.

Change of venue in common pleas court when the judges, etc.

tled, "petition in error," and shall be the same as those provided by chapter 1, title 4, part 3, of the Revised Statutes, upon petitions in error, except that it shall not be necessary to file with the petition a transcript of the proceedings, but the petition in error shall be heard upon the original files, pleadings and proceedings; and the said superior court, at general term thereof, shall have the power to render such judgment as should have been rendered at special term, or remand the cause to the special term for judgment, and upon such judgment execution may issue as upon original judgments.

Sec. 503. Any judge of the superior court of Cincinnati sitting in special term, may reserve and adjourn for the decision of such court in general term, any question of law or fact arising in any case upon the record, or upon evidence in writing, and when the decision of such questions authorizes or requires a final order or judgment the same may be entered by the court in general term. Judgments and final orders of such superior court, in general term, shall be reviewable only by the supreme court; all laws providing for the review of final orders and judgments of circuit courts shall apply to final orders and judgments of such superior court in general term.

Sec. 517. All laws conferring powers, authority, and jurisdiction, in civil cases and other proceedings, upon the common pleas courts, or the circuit courts, giving them power to hear and determine cases, and to preserve order and punish contempt, regulating their practice and forms of process, prescribing the force and effect of their judgments, orders, or decrees, and authorizing or directing the execution thereof, shall extend to the superior court of Montgomery county as fully as they extend to the common pleas courts and circuit courts, unless the same are inconsistent with this chapter or plainly inapplicable; and the superior court of Montgomery county, in respect to the form and manner of all pleadings therein, and the force and effect of its judgments, orders, or decrees, shall be a court of general jurisdiction; and it shall sign bills of exceptions, if required, the same as is provided for in trials in the common pleas courts.

Sec. 518. A judgment rendered, or a final order made, by the superior court of Montgomery county, may be reversed, vacated, or modified, by the circuit court of that county for errors appearing on the record; and all laws providing for appeals from the common pleas court to the circuit court shall apply in like cases to the superior court of Montgomery county.

Sec. 549. The supreme court or the circuit court may remand its final decrees, judgments, or orders, in cases brought before it on error or appeal, to the court below, for the specific or general execution thereof, as the case may require, and may also remand causes which so come before it to the inferior courts for further proceedings therein.

Sec. 550. When a judge of the common pleas court is interested in any cause or matter pending before the court in any county of his district, or is related to either or any party to such cause, or is otherwise disqualified to sit in such cause or matter, and there is no other judge in the same subdivision who is not so disqualified, on affidavit of either party to such cause or mat-

ter, or his counsel, showing the fact of such interest or disqualification, the clerk of the court shall enter upon the docket of such court an order directing that the papers and all matters belonging to such cause or matter, shall be transmitted to the clerk of the common pleas court of an adjoining county of another subdivision, where practicable, of the same district; where not practicable, then to an adjoining county of another district; and when a copy of the docket entry, together with all the files belonging to the cause or matter, is filed with the clerk of the court to whom the same is transmitted, such clerk shall docket the cause or matter, and thereupon the same shall proceed to final judgment or determination, in all respects as though it had been originally commenced in such court.

Sec. 551. When any cause or matter has been removed from the county in which it originated, by reason of the interest or disqualification of a judge of the common pleas court, a duly certified copy of the final judgment rendered therein may be taken by the party receiving the same, and presented to the clerk of the common pleas court of the county from which the cause was removed; and the clerk shall forthwith record the same in the journal of the common pleas court; and from the time of such record, the judgment shall operate as a lien upon the real estate of the debtor, as fully as though the same had been on that day rendered in the last mentioned county.

Sec. 552. When any cause or matter has been removed from the county in which it originated, because of the interest or disqualification of a judge of the common pleas court therein, and it appears to the clerk of the court to which the cause or matter has been removed, by the certificate of the secretary of state, that such judge is no longer in office, the clerk shall certify the same back, with all the files, papers, and journal entries, to the county from which it came, for further proceedings, as if the same had not been removed.

Sec. 553. The common pleas court and the circuit court in any county, and the superior court in any city or county, and the probate court in any county containing a city of the first grade of the first class, may each, on the application of the sheriff of the county, appoint one or more constables to preserve order and discharge such other duties as the court requires; and each constable, when so directed by the court, shall have the same power to call and impanel jurors which by law the sheriff of the county has, except in capital cases. The compensation of such constables shall be the same as that of regular jurors, except in counties containing a city of the first grade of the first class it shall be eight hundred dollars per annum, which shall in all cases be paid out of the county treasury, on the order of the court.

Sec. 555. Every commission that is issued by the governor to a judge of the supreme court, a judge of the circuit court, a judge of the common pleas court, or a judge of a superior court of any county or city, shall be transmitted by the secretary of state to the clerk of the common pleas court of the county wherein such judge resides, and such clerk shall receive and forthwith transmit the same to the person entitled thereto; whereupon such person, having received such commission, shall take the oath

Duty of the clerk.

Procedure after change.

Copy of final judgment in a cause thus removed may be recorded in the court from which removed and become a lien.

Return of cause when secretary of state certifies the disqualified judge who was the cause of removal to be no longer in office.

Court constables; by whom and how appointed.

Their duties.

Compensation of; amount and how paid.

Transmittal of commissions to judges of courts superior to probate courts, etc.

Oath of office to be taken.

required by the constitution and statutes of this state, and transmit a certificate thereof to the same clerk, signed by the officer administering such oath, within twenty days after he has received such commission.

The removal of any such judge without his local jurisdiction to be considered as a resignation.

Sec. 557. In case any judge of the supreme court removes his residence out of this state, or any judge of the circuit court out of his circuit, or any judge of the common pleas court out of his subdivision, or any judge of a superior court out of his county, he shall be considered as having resigned and vacated his office, whereupon such vacancy shall be filled according to law. [§ 557; 81 v. 168, § 557a.]

When and how the circuit court in a county having a law college shall provide for the examination of graduates.

Sec. 561. In any county in which there is a law college, or a college or university having a department of law, duly organized, the circuit court shall, on the application in writing, signed by the president of the faculty of such college, or department, appoint a committee of not less than three nor more than seven attorneys at law to attend the commencement exercises of such college next after their appointment, and examine such graduates of such college, or department, as present themselves for examination, in reference to their qualifications to practice law; and the certificate of such committee, or a majority of them, that in their opinion any of such graduates are persons of sufficient legal knowledge and ability to discharge the duties of an attorney and counselor at law, shall have the same force and effect as the certificate provided for in the preceding section, but shall not dispense with the conditions therein prescribed, of age, residence, and citizenship, or declaration of intention to become a citizen.

Certificate of examiners; its form and effect.

Suspension or removal of an attorney; by whom and for what causes.

Sec. 563. The supreme court, the circuit court, or the common pleas court may suspend or remove any attorney at law from office, for either of the following causes: misconduct in office, conviction of crime involving moral turpitude, or unprofessional conduct involving moral turpitude; and such suspension or removal shall operate as a suspension or removal in all the courts of this state, and judges of such courts are required to cause proceedings to be instituted against any attorney at law when it in any manner comes to the knowledge of any judge in whose court such attorney practices, that such attorney is probably guilty of any of the causes of suspension or removal; but before any attorney is suspended or removed, written charges must be filed against him stating distinctly the grounds of complaint, and a copy thereof, certified by the clerk, under the seal of the court, shall be served upon him, and he shall, after such service, be allowed reasonable time to collect and present testimony in defense, and be heard by himself or counsel; and in case of suspension or removal by the common pleas court, an appeal may be had to the circuit court; and the sentence of either the common pleas court or the circuit court may be reviewed on error in the supreme court.

Proceedings against an attorney.

Charges to be filed.

Appeal.

Review of proceedings.

General powers and duties of the sheriff.

Sec. 1211. Every sheriff shall preserve the public peace, and cause all persons guilty of any breach thereof, within his knowledge or view, to enter into recognizance with sureties, for keeping the peace, and appearing at the succeeding term of the common pleas court of the proper county; and to commit to jail in case of refusal; and shall return a transcript of his proceedings, with the

recognizance by him taken, to the court aforesaid, and shall execute all warrants, writs, and other process to him directed by the proper and lawful authority; and shall attend upon the common pleas court, and the circuit court, during their sessions, and the probate court when required; and he shall have power to call to his aid, in the execution of the duties herein, and by law required, such person or persons, or power of the county, as may be necessary; and under the direction and control of the county commissioners, he shall have charge of the court house.

Sec. 1242. The clerk of the common pleas court in each county shall also be clerk of the circuit court of his county.

Clerk of circuit court.

Sec. 1273. The prosecuting attorney shall prosecute, on behalf of the state, all complaints, suits, and controversies, in which the state is a party, and such other suits, matters, and controversies, as he is directed by law to prosecute, within the county, in the probate court, common pleas court, and circuit court; and in every case of conviction, he shall forthwith cause execution to be issued for the fine and costs, or costs only, as the case may be, and faithfully urge the collection until it is effected, or it is found to be impracticable; and he shall forthwith pay over to the county treasurer all moneys belonging to the state or county, which come into his possession for fines, forfeitures, costs, or otherwise.

General duties of the prosecuting attorney.

Sec. 1321. When the party recovering neglects to sue out execution immediately, or after such execution has been returned without satisfaction of costs, the clerk may, for his own benefit, or shall, at the instance of any person entitled to fees in the bill of costs, taxed against either party, issue against the party indebted to such clerk or other person, for such fees, whether plaintiff or defendant, an execution to compel the party to pay his own costs, in the following form, to-wit:

When and how special execution may issue for costs.

[Form of execution to compel either party to pay his own costs.]

The State of Ohio, _____ county, ss.:

To the sheriff of _____ county, greeting:

Whereas, in a certain civil action lately prosecuted in the _____ court of _____ county, wherein _____ was plaintiff, and _____ was defendant, the costs* of said _____ were taxed at _____ dollars, _____ cents: You are therefore commanded, that of the goods and chattels, or for the want of goods and chattels, of the lands and tenements of the said _____ in your county, you cause to be made the costs aforesaid, with interest thereon from the _____ day, A. D., _____ [the date of the judgment] until paid, and costs that may accrue: And if you shall levy and make said costs and interest, do you have the same before the _____ court of _____ county, within sixty days from the date hereof, to render unto the persons entitled to the same; and have you then and there this writ.

Form of such execution.

Witness my hand and the seal of the _____ court, this _____ day of _____ A. D. _____.

A. B., Clerk.

[SEAL.]

Costs to be
taxed separ-
ately; when.

Sec. 1322. In all transcripts given by justices of the peace, the costs of each party shall be stated and set forth separately; and in all causes taken from the common pleas court to the circuit court, on error or appeal, the clerk of the common pleas court shall certify to the circuit court the costs of each party separately; and the clerk of the circuit court, in like manner, shall certify in the mandate to the common pleas court, for execution, the costs, in the circuit court, of each party separately; and the costs of the losing party in the circuit court, as well as the costs of the successful party, shall be collected by process from the common pleas court in the manner prescribed in section 1321, excepting costs, the collection of which is provided for in the next section.

Collection of
circuit court
costs.

Costs on
amend-
ments, con-
tinuances or
under any
special rule;
how collect-
ed.

Sec. 1323. The costs adjudged against either party on continuances, amendments, or under any special rule, may be collected, at any time after judgment or order of court awarding such costs, by process, to be issued from the court wherein such judgment or order is made; which process shall be in the form prescribed in section 1321, with the following alteration: after (*) asterisk, instead of the word "of," these words shall be inserted: "adjudged against the said _____ on continuance," [or "amendment," or otherwise, as the case may be]; and if the special rule for payment of costs be in the circuit court, the writ shall be so altered as to make it returnable to that court.

Conduct of
elections;
form of poll-
books.

Sec. 2960. The following shall be the form of the poll-books to be kept by the judges and clerks of elections held under this title:

POLL-BOOK

Of the election held in _____ township, _____ county, Ohio, on the _____ day of _____, in the year of our Lord one thousand eight hundred and _____, A. B., C. D., and E. F., judges, and J. K. and L. M., clerks of said election, were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

| NUMBER AND NAME OF ELECTORS. | | NUMBER AND NAME OF ELECTORS. | |
|------------------------------|-------|------------------------------|-------|
| No. 1. | A. B. | No. 3. | E. F. |
| No. 2. | C. D. | No. 4. | G. H. |

It is hereby certified that the number of electors who voted at this election is _____.

Attest:

J. K., } Clerks.
L. M., }

A. B., } Judges of Election.
C. D., }
E. F., }

TALLY-SHEET.

NAMES OF PERSONS VOTED FOR, AND FOR WHAT OFFICES, AND THE NUMBER OF VOTES GIVEN FOR EACH CANDIDATE.

| | |
|---------------------------------------|------------------|
| Governor. | |
| Lieutenant Governor. | |
| Secretary of State. | |
| Auditor of State. | |
| Treasurer of State. | |
| Attorney-General. | |
| Judge of the Supreme Court. | |
| Member of Board of Public Works. | |
| State Commissioner of Common Schools. | |
| Clerk of the Supreme Court. | |
| Judge of the Circuit Court. | |
| Judge of the Common Pleas Court. | |
| Representative to Congress. | |
| Members of the General Assembly. | Senators. |
| | Representatives. |
| Judge of the Probate Court. | |
| Clerk of the Common Pleas Court. | |
| Sheriff. | |
| County Auditor. | |
| County Commissioner. | |
| County Treasurer. | |
| County Recorder. | |
| County Surveyor. | |
| Prosecuting Attorney. | |
| Infirmary Director. | |
| Coroner. | |

| | |
|----|---------------|
| A. | No. of votes. |
| B. | No. of votes. |
| C. | No. of votes. |
| D. | No. of votes. |
| E. | No. of votes. |
| F. | No. of votes. |
| G. | No. of votes. |
| H. | No. of votes. |
| I. | No. of votes. |
| J. | No. of votes. |
| K. | No. of votes. |
| L. | No. of votes. |
| M. | No. of votes. |
| N. | No. of votes. |
| O. | No. of votes. |
| P. | No. of votes. |
| Q. | No. of votes. |
| R. | No. of votes. |
| S. | No. of votes. |
| T. | No. of votes. |
| U. | No. of votes. |
| V. | No. of votes. |
| W. | No. of votes. |
| X. | No. of votes. |
| Y. | No. of votes. |
| Z. | No. of votes. |
| A. | No. of votes. |
| B. | No. of votes. |
| C. | No. of votes. |
| D. | No. of votes. |
| E. | No. of votes. |
| F. | No. of votes. |
| G. | No. of votes. |
| H. | No. of votes. |
| I. | No. of votes. |
| J. | No. of votes. |
| K. | No. of votes. |
| L. | No. of votes. |
| M. | No. of votes. |
| N. | No. of votes. |
| O. | No. of votes. |
| P. | No. of votes. |
| Q. | No. of votes. |
| R. | No. of votes. |
| S. | No. of votes. |
| T. | No. of votes. |
| U. | No. of votes. |
| V. | No. of votes. |
| W. | No. of votes. |
| X. | No. of votes. |
| Y. | No. of votes. |
| Z. | No. of votes. |

We do hereby certify, that A. B. had — votes for Governor; C. D. had — votes for Governor; E. F. had — votes for Lieutenant Governor; G. H. had — votes for Secretary of State; I. J. had — votes, etc., etc.

Attest:

J. K., } Clerks.
I. M.

A. B., } Judges of Election.
C. D., }
E. F.

We do hereby certify, that A. B. had _____ votes for Governor; C. D. had _____ votes for Lieutenant Governor; E. F. had _____ votes for Secretary of State; I. J. had _____ votes, etc., etc.

Attest:

J. K., } Clerks.
L. M., }

A. B., } Judges of Election.
C. D., }
E. F., }

Time of
holding state
and county
elections.

Sec. 2978. All general elections for governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, judge of the circuit court, judge of the common pleas court, representatives to congress, senators and representatives to the general assembly, judge of the probate court, clerk of the common pleas court, sheriff, county auditor, county commissioner, county treasurer, county recorder, county surveyor, prosecuting attorney, infirmity director, and coroner, shall be held on the second Tuesday of October. All votes for any judge for any elective office, except a judicial office, under the authority of this state, given by the general assembly or the people, shall be void. [§ 2978; 81 v. 168, § 447d.]

What votes
to be void.

Opening re-
turns and
making ab-
stract of
votes.

Sec. 2980. On the sixth day after the election, or sooner in case the returns are made, the clerk of the common pleas court, taking to his assistance two justices of the peace of the county, shall proceed to open the several returns made to his office, and make abstracts of the votes in the following manner, viz:

1. Upon a single sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, and attorney-general.

2. And upon another sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, and representatives to congress.

3. And upon another sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, judge of the circuit court, judge of the common pleas court, representatives to congress, senators and representatives to the general assembly, judge of the probate court, clerk of the common pleas court, sheriff, county auditor, county commissioner, county treasurer, county recorder, county surveyor, prosecuting attorney, infirmity director and coroner. [§ 2980; 81 v. 168, § 447c.]

Abstract of
votes and
certificates
of election;
how made
when two or
more coun-
ties are join-
ed in an elec-
tion district.

Sec. 2994. When two or more counties are joined in a judicial circuit, or in a judicial, senatorial, or representative district, the clerk of the common pleas court of each county of such circuit or district having a population not the largest, shall make, and, within eight days after the day of election, transmit by mail to the clerk of the common pleas court of the county in the circuit or district having the largest population, an abstract showing the number of votes given in each election precinct in such county, for each person who received votes for any office to be filled by the circuit or district; such abstract shall be attested by the clerk, under the seal of the court, and inclosed in an envelope so indorsed as to show distinctly that it is an abstract of votes, for what offices, and from what county; and it shall be opened and canvassed as provided in section 2980, by the clerk to whom transmitted, who shall incorporate the same in an abstract, with the returns from the precincts of his county for such offices, and

shall make and transmit to the persons elected certificates of their election. [§ 2994; 81 v. 168, § 447c.]

Sec. 3005. Any elector may contest the election of any state officer or judge of the supreme court; any elector of the circuit may contest the election of a judge of the circuit court of his circuit; any elector of the sub-division may contest the election of a judge of the common pleas court of his sub-division; and any elector of a city or county may contest the election of any judge of the superior court of such city or county, by serving the like notice in the manner and within the time prescribed in section 2997, and filing a copy thereof with the clerk of the senate on or before the tenth day of the first session of the general assembly next after the election. [§ 3005; 81 v. 168, § 3005a.]

Notice of contest of a state or judicial office.

Sec. 4969. If the judge of the common pleas court, or a quorum of the judges of the circuit court, fail to attend at the time and place appointed for holding the court, or if, after the calling of the court, the judge of the common pleas court or a quorum of the judges of the circuit court are unable, on account of sickness, or from any other cause, to attend the daily sessions thereof, the sheriff shall adjourn the court from day to day, until the judge of the common pleas court attends or a quorum of the circuit court is convened; but if the judge or judges be not present within three days after the first day of the term, or if, after the court is called, such judge or judges are unable, on account of sickness, or from any other cause, to be present for ten days, the court shall stand adjourned for the term. [§ 4969; 81 v. 168, § 449a.]

Adjournment of court on account of absence of judges.

Sec. 5162. The common pleas court of each county shall, at the first term thereof in each year, determine the number of persons necessary to be selected in each county, annually, to serve as grand and petit jurors in the several courts of such county, in which juries may be required, and cause a memorandum thereof to be entered on the journal; such order, if not made at that term, may be made at any other time, and amended from time to time at the discretion of the court, and, until it is made, the number of persons to be selected for jurors in each county shall be as theretofore determined; but if there has been no such determination, the number shall be one hundred and thirty, until otherwise ordered.

Number and selection of jurors in common pleas court.

Sec. 5168. The clerk, upon the receipt of an order of the judge of the common pleas court, shall forthwith between the same hours, at the same place, and in the same presence, draw the names of twelve persons to serve as petit jurors, or twenty-seven persons to serve as grand and petit jurors, for a special term of the common pleas court. Whenever an issue of fact, which the law requires to be tried by a jury, shall be joined in proceedings in the circuit court, the clerk of the circuit court shall, at the instance of either of the parties, forthwith in like manner, draw the names of twelve persons to serve as jurors in the trial of such cause; and issue his venire for the appearance of the jurors at the proper time and place.

Drawing of jurors for a special term of common pleas and for circuit court.

Sec. 5225. The circuit court shall have jurisdiction of certain cases, as hereinafter provided, by appeal; and the trial therein shall be conducted in the same manner as in the common pleas

Conduct of trials on appeal in the circuit court.

When the appeal is from a report of a referee.

When additional testimony, admissible on such appeal.

When an appeal may be taken to the circuit court.

Interlocutory order dissolving an injunction, how suspended on appeal.

Notice of appeal to circuit court and undertaking therefor.

Who not required to give undertaking.

When circuit court may order change or renewal of appeal bond.

Dismissal of appeal.

Suspension of judgment on appeal.

court, and upon the same pleadings, unless amendments are permitted or ordered by the court. Provided, however, [that when] the judgment or decree appealed from is upon the report of a referee, and there has been no exception taken to the finding of facts by the referee, or the referee has reported the whole testimony, subscribed by the witnesses, the case shall be tried by the circuit court upon the report in the same manner as in the common pleas court. But provided further, in case the whole testimony is reported, any party may offer additional testimony on good cause shown why the same was not produced and offered at the trial before the referee.

Sec. 5226. In addition to the cases and matters specially provided for, an appeal may be taken to the circuit court by a party or other person directly affected, from a judgment or final order in a civil action rendered by the common pleas court, and of which it had original jurisdiction, if the right to demand a jury therein did not exist, and from an interlocutory order made by the common pleas court, or a judge thereof, dissolving an injunction, in a case of which it had original jurisdiction; but such interlocutory order dissolving such injunction shall not be suspended by the appeal, except by the order of the circuit court, or two judges thereof in vacation, on reasonable notice to the adverse party; provided, that the court or judge may, at the time of making such interlocutory order, upon good cause shown, suspend the operation thereof for any period not exceeding ten days, within which period the party appealing may perfect the appeal. [See § 518.]

Sec. 5227. A party desiring to appeal his cause to the circuit court, shall, at the term at which the judgment or order is rendered, enter on the records notice of such intention, and within thirty days after the rising of the court, give an undertaking, with sufficient surety, to be approved by the clerk of the court, or a judge thereof, as hereinafter provided.

Sec. 5228. A party in any trust capacity, who has given bond in this state, with sureties according to law, shall not be required to give bond and security to perfect an appeal; and in such cases the clerk of the common pleas court, at the expiration of thirty days from the rising of the court, shall, if not otherwise directed, make a transcript, which, together with the papers and pleadings filed in the cause, he shall transmit to the clerk of the circuit court, as in other cases of appeal.

Sec. 5233. When the surety in the undertaking for the appeal has removed from the state, or for any cause is insufficient, or if the undertaking is insufficient in form or amount, the circuit court, on motion, may order a change or renewal of the undertaking, or a new undertaking to be given, with security, to be approved by the circuit court, or the clerk thereof; and if the order of the circuit court be complied with, the appeal shall not be dismissed, but the court shall hear and determine the cause in the same manner as if the order had not been made; but otherwise the appeal shall be dismissed.

Sec. 5235. When an appeal is taken, and bond given, the judgment is thereby suspended, unless some part of the final judgment appealed from be an injunction, in which case such injunction shall not be suspended, except by order of the circuit court, or two judges thereof, on reasonable notice to the adverse party;

and the clerk of the common pleas court shall forthwith make an authenticated transcript of the docket and journal entries and of the final judgment in the cause appealed; which transcript, together with the original papers and pleadings, he shall deliver at the office of the clerk of the circuit court, on or before the first day of the term thereof next after the appeal is perfected; and either party may require a full record to be made of the case in the court below, at his own costs.

Sec. 5236. When the party against whom a judgment is rendered appeals his cause to the circuit court, the lien of the opposite party on the real estate of the appellant, created by the judgment, shall not be removed or vacated by the appeal; but the real estate of the appellant shall be bound, in the same manner as if the appeal had not been taken, until the final determination of the cause in the circuit court.

Lien of judgment on appeal to circuit court.

Sec. 5237. If a plaintiff appealing do not recover a greater sum in the circuit court than in the court from which the appeal was taken, exclusive of costs and interest accrued since the rendition of the judgment, he shall pay all costs that accrue in the circuit court; and if the defendant, in any personal action, appeal to the circuit court, and the plaintiff recover the same or a larger sum than was recovered in the court below, exclusive of costs, the circuit court shall render judgment for the sum so recovered, with costs of suit.

Costs on appeal to circuit court.

Sec. 5239. When the circuit court makes a final order, or renders a final judgment, in cases brought before it on appeal, it may enforce the same by process issued therefrom, or may remand the same to the common pleas court for execution or other process; the clerk of the circuit court shall certify the same to the common pleas court, and the clerk of the common pleas court, on receipt of the certified transcript, shall immediately enter the same on the journal; and the judgment or order so entered, unless otherwise directed by the circuit court, shall, for the purpose of execution and other process, stand as the judgment of the common pleas court.

Circuit court may enforce its final orders or judgments, or remand same for execution or other process.

Sec. 5255. A witness so imprisoned by an officer may apply to a judge of the supreme court, circuit court, common pleas court, or probate court, who may discharge him, if it appear that his imprisonment is illegal.

Release of witness imprisoned by an officer.

Sec. 5269. Depositions may be taken in this state before a judge or the clerk of the supreme court, a judge or clerk of the circuit court, a judge or clerk of the common pleas court, a probate judge, justice of the peace, notary public, mayor, master commissioner, or any person empowered by a special commission; but depositions taken in this state, to be used therein, must be taken by an officer or person whose authority is derived within the state, and if to be used out of the state, they may be taken before a commissioner or officer who derives his authority from the state, district, or territory in which they are to be used.

Depositions to be used within or without the state may be taken before whom.

When and how common pleas or circuit court may vacate or modify its judgments or orders after the term.

Sec. 5354. The common pleas court, or the circuit court, may vacate or modify its own judgment or order, after the term at which the same was made:

1. By granting a new trial for the cause within the time and in the manner provided in section 5309.

2. By a new trial granted in proceedings against defendants constructively summoned, as provided in section 5048.

3. For mistake, neglect, or omission of the clerk, or irregularity in obtaining a judgment or order.

4. For fraud practiced by the successful party in obtaining judgment or order.

5. For erroneous proceedings against an infant, or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings.

6. For the death of one of the parties before the judgment in the action.

7. For unavoidable casualty or misfortune, preventing the party from prosecuting or defending.

8. For errors in a judgment, shown by an infant within twelve months after arriving at full age, as prescribed in section 5330.

9. For taking judgments upon warrants of attorney for more than was due the plaintiff, when the defendant was not summoned, or otherwise legally notified of the time and place of taking such judgment.

10. When such judgment or order was obtained, in whole or in a material part, by false testimony on the part of the successful party, or any witness in his behalf, which ordinary prudence could not have anticipated or guarded against, and the guilty party has been convicted.

New parties to judgment and revivor of judgment when a party dies.

Sec. 5369. If either or both of the parties die after judgment rendered, and before satisfaction thereof, their representatives, real or personal, or both, as the case may require, may be made parties to the judgment, and the same may be revived by an action brought for that purpose; or they may be made parties thereto in the same manner as is prescribed for the revival of actions before judgment; and such judgment may be rendered and execution awarded as might or should have been given or awarded against the representatives, real or personal, or both, of such deceased party; and where any judgment or decree has been rendered in the circuit court of any county, and a mandate has been directed to the common pleas court to carry the same into execution, and if either or both parties thereto die before satisfaction thereof, the same may be revived in such common pleas court in conformity with this section.

Judgment in circuit court remanded to common pleas for execution, how revived after death of party.

Lien of judgment of supreme court.

Sec. 5376. A judgment of the supreme court, for money, shall bind the lands and tenements of the debtor, within the county in which the suit originated, from the first day of the term at which the judgment is entered, and all other lands, and the goods and chattels, of the debtor, from the time they are seized in execution; but the lien of a judgment of the common pleas court, in an action which is appealed by the judgment debtor to the circuit court, and is thence removed into the supreme court, shall not be thereby divested or vacated, but shall continue till the final determination of the action in the supreme court.

Lien of judgment of common pleas court removed to supreme court.

Sec. 5415. No judgment, on which execution is not issued and levied before the expiration of one year next after its rendition, shall operate as a lien on the estate of a debtor to the prejudice of any other bona fide judgment creditor; but in all cases in which judgment is rendered in the circuit court or supreme court, and a special mandate is directed to the common pleas court to carry the same into execution, the lien of the judgment creditor shall continue for one year after the first day of the term of the common pleas court to which such mandate is directed, or, if the mandate be entered on the journal in vacation, after it is so entered; and in computing such period of one year, the time covered by an appeal of the case, or by an injunction against the execution, or by proceedings in error, or by a vacancy in the office of sheriff and coroner, or by the inability of such officers, shall be excluded.

Sec. 5573. The injunction may be granted at the time of commencing the action, or at any time afterward, before judgment, by the supreme court or a judge thereof, the circuit court or a judge thereof in his circuit, the common pleas court or a judge thereof in his district, or the probate court, in causes pending therein, and in the absence from any county of the judges of both the common pleas and circuit courts, the injunction may be granted in actions pending in said courts by the probate judge of said county, upon its appearing satisfactorily to the court or judge, by affidavit of the plaintiff or his agent, that such plaintiff is entitled thereto. When the injunction has been allowed, and during the pendency of the action in the common pleas court, has been vacated either by a judge thereof in vacation, or by the court, previous to trial of the action, and an appeal is taken, after such trial, from the judgment or final order of the common pleas court to the circuit court, an injunction may be granted at any time before judgment or final order in the action in the circuit court, by the circuit court in which such action is pending or a judge thereof, upon its appearing satisfactorily to such court or judge, by affidavit of such party or his agent, that he is entitled thereto; and upon like proof, an injunction may also be allowed by the supreme court or the circuit court, or by a judge of either, as a temporary remedy, during the pendency of a case on error or appeal in such courts respectively.

Sec. 5584. When an injunction has been granted, a party may, at any time before the trial, apply to the court in which the action is pending, or a judge thereof, to vacate or modify the same; the party applying for such vacation or modification shall give to the adverse party such notice of the time and place at which the motion will be heard as the court or judge may deem reasonable; and the application may be made upon the petition and affidavits upon which the injunction was granted, or upon affidavits on the part of the party enjoined, with or without answer.

Sec. 5587. A receiver may be appointed by the supreme court or a judge thereof, the circuit court or a judge thereof in his circuit, the common pleas court or a judge thereof in his district, or the probate court, in causes pending in such courts respectively, in the following cases:

1. In an action by a vendor to vacate a fraudulent purchase of property, or by a creditor to subject any property or fund to his claim, or between partners or others jointly owning or interested

When judgment loses preference as a lien.

Lien of supreme and circuit court judgments; how long to continue.

When and by whom an injunction may be granted.

Motion to vacate or modify injunction when and how made.

When and how a receiver may be appointed.

in any property or fund, on the application of the plaintiff, or of any party whose right to or interest in the property or fund, or the proceeds thereof, is probable, and when it is shown that the property or fund is in danger of being lost, removed, or materially injured.

2. In an action by a mortgagee, for the foreclosure of his mortgage, and sale of the mortgaged property, where it appears that the mortgaged property is in danger of being lost, removed, or materially injured, or that the condition of the mortgage has not been performed, and the property is probably insufficient to discharge the mortgage debt.

3. After judgment, to carry the judgment into effect.

4. After judgment, to dispose of the property according to the judgment, or to preserve it during the pendency of an appeal, or when an execution has been returned unsatisfied, and the judgment debtor refuses to apply the property in satisfaction of the judgment.

5. In the cases provided in this title, and by special statutes, when a corporation has been dissolved, or is insolvent, or in imminent danger of insolvency, or has forfeited its corporate rights.

6. In all other cases where receivers have heretofore been appointed by the usages of equity.

Who may
grant writ of
habeas corpus.

Contesting
will; issue
to be made
up; verdict.

No appeal
therefrom.
Proceedings
in error.

Jurisdiction
in error of
the circuit
court.

Mandate
and its con-
tents.

Jurisdiction
of supreme
court in
error.

When cir-
cuit court
must make
finding of
facts.

Sec. 5727. The writ of habeas corpus may be granted by the supreme court, the circuit court, the common pleas court, the probate court, or by a judge of either.

Sec. 5861. An issue shall be made up, either in the pleadings or by an order on the journal, whether the writing produced is the last will or codicil of the testator, or not, which shall be tried by a jury, and the verdict therein shall be conclusive, unless a new trial be granted, or the judgment be reversed or vacated.

Sec. 5865. No appeal can be taken from the judgment of the common pleas court to the circuit court in cases to contest a will, but the right to prosecute proceedings in error in such cases shall be the same as provided in other cases brought in the common pleas court.

Sec. 6709. A judgment rendered, or final order made, by the common pleas court, may be reversed, vacated, or modified by the circuit court, for errors appearing on the record; all errors assigned in the petition in error shall be passed upon by the court, and in every case where a judgment or order is reversed and remanded for a new trial or hearing, the circuit court shall, in its mandate to the court below, state the error or errors found in the record upon which the judgment of reversal is based.

Sec. 6710. A judgment rendered, or final order made, by the circuit court, may be reversed, vacated, or modified by the supreme court, on petition in error, for errors appearing on the record; but the supreme court shall not, in any civil cause or proceeding, except when its jurisdiction is original, be required to determine as to the weight of the evidence; and on application of any party excepting to a ruling or decision of the circuit court, during the trial, or on motion for a new trial, such court shall find from the evidence, and state on the record, the facts upon which the alleged error arises or which may be material in determining whether error has intervened or not.

Sec. 6712. When, in any such case, the judgment or final order of a circuit court is affirmed, there shall be taxed, as part of the costs in the case, a reasonable fee, to be fixed by the court, not less than twenty-five nor more than three hundred dollars, to the counsel of the defendant; and the court shall adjudge to the defendant damages in such sum as may be reasonable, not exceeding five hundred dollars, unless the judgment or final order of the circuit court directs the payment of money, and execution thereof was stayed in such proceeding in error in the supreme court, when, in lieu of such penalty, it shall bear additional interest, at a rate not exceeding five per centum per annum, for the time for which it was stayed, to be ascertained and awarded by the court; but if the supreme court certify in its judgment that there was reasonable cause for the proceeding in error, neither such fee, nor additional interest, nor penalty, shall be taxed, adjudged, or awarded.

When supreme court shall assess a penalty.

Interest in lieu of penalty on money judgments.

When penalty shall not be assessed.

Sec. 6718. No proceeding to reverse, vacate, or modify a judgment or final order rendered in the probate court, common pleas court, or circuit court, except as provided in the fourth subdivision of this section, and in sections 6720 and 6721, shall operate to stay execution, unless the clerk of the court in which the record of such judgment or final order is made take a written undertaking, to be executed on the part of the plaintiff in error to the adverse party, with sufficient surety, as follows;

How execution of judgment or order may be stayed in courts inferior to supreme court.

1. When the judgment or final order sought to be reversed directs the payment of money, the written undertaking shall be in double the amount of the judgment or order, to the effect that the plaintiff in error will pay the condemnation money, and costs, if the judgment or final order be affirmed, in whole or in part.

2. When it directs the execution of a conveyance, or other instrument, the undertaking shall be in such sum as may be prescribed by a court of record, or a judge thereof, to the effect that plaintiff in error will abide the judgment, if the same be affirmed, and pay the costs.

3. When it directs the sale, or delivery of possession, of real property, the undertaking shall be in such sum as may be prescribed by a court of record, or a judge thereof, to the effect that, during the possession of such property by the plaintiff in error, he will not commit, nor suffer to be committed, any waste thereon, and that, if the judgment be affirmed, he will pay the value of the use and occupation of the property from the date of the undertaking until the delivery of the possession, pursuant to the judgment, and all costs; and when the judgment is for the sale of mortgaged premises and the payment of a deficiency arising from the sale, the undertaking must also provide for the payment of such deficiency.

4. When it directs the assignment or delivery of documents, they may be placed in the custody of the clerk of the court in which the judgment was rendered, to abide the judgment of the reviewing court, or the undertaking shall be in such sum as may be prescribed as aforesaid, to abide the judgment, and pay costs, if the judgment be affirmed.

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| Proceedings after reversal. | Sec. 6726. When a judgment or final order is reversed, either in whole or in part, in the common pleas court, the circuit court, or the supreme court, the court reversing the same shall proceed to render such judgment as the court below should have rendered, or remand the cause to the court below for such judgment; the circuit court or the common pleas court so reversing a judgment shall, upon the request of either party, specify in writing the ground or grounds of such reversal, which shall be filed and kept with the papers in the case; the court reversing or affirming such judgment or final order, shall not issue execution in causes that are so brought before it on error, on which it pronounces judgment, as aforesaid, but shall send a special mandate to the court below, as the case may require, for execution thereon, and the court to which such special mandate is sent shall proceed in the same manner as if such judgment or final order had been rendered therein; and on motion, and good cause shown, it may suspend any execution made returnable before it by order of the common pleas court, the circuit court, or the supreme court, in the same manner as if the execution had been issued from its own court; but such suspension shall not extend further than to stay proceedings until the matter can be further heard by the common pleas court, the circuit court, or the supreme court, as the case may be; but this section shall not apply to judgments of justices of the peace. |
| Grounds of reversal when to be stated. | |
| When cases on error to be remanded for execution. | |
| Suspension of execution. | |
| Justices' judgments. | |
| Penalty on affirmance by circuit court. | Sec. 6730. If the circuit court affirm a judgment on petition in error, it shall also render judgment against plaintiff in error for five per centum upon the amount due from him to the defendant in error, unless the court enter upon its minutes that there was reasonable ground for the proceedings in error. |
| How decree in circuit court may be stayed. | Sec. 6738. When a petition for review is filed in the circuit court, a judge of the court may, in vacation, upon good cause shown, stay proceedings on the former decree until the next term of the court in which such proceedings are pending; and the judge shall direct the nature and the amount of security to be given by the party applying for such stay. |
| Filing of petition in error in the nature of a bill of review in certain cases in supreme court. | Sec. 6740. A petition in error, in the nature of a bill of review, may, on leave of the supreme court, or a judge thereof, be filed in the supreme court, to reverse or modify any decree in chancery, that heretofore has been or that hereafter may be rendered in any circuit court in this state, in which the title to real estate is in controversy, or the amount in controversy is not less than five hundred dollars; and the proceedings upon such petition in error shall, in all respects, be governed by the provisions of the six preceding sections of this chapter; but this section shall not extend to suits that have been commenced since the first day of July, 1853, and the petition in error must be filed within three years after the rendition of the decree so sought to be reversed or modified. |
| Proceedings thereon. | |
| Limitation. | |
| Writ of mandamus by whom issued; not to control judicial discretion. | Sec. 6742. The writ of mandamus may be issued by the supreme court, the circuit court, or the common pleas court; and although it may require an inferior tribunal to exercise its judgment, or proceed to the discharge of any of its functions, it cannot control judicial discretion. |

Sec. 6768. An action under this chapter can be brought only in the supreme court, or in the circuit court of the county in which the defendant, or one of the defendants, resides or is found, or, when the defendant is a corporation, in the county in which it is situated, or has a place of business; but when the attorney-general files the petition, the action may be brought in the circuit court of Franklin county.

Sec. 196. The common pleas court or the circuit court may, whenever it is of the opinion that the public interest requires it, appoint an attorney to assist the prosecuting attorney in the trial of any case pending in such court, and the county commissioners shall pay such assistant such compensation for his services as the court approves, and to them seems just and proper.

Sec. 7356. In any criminal case, including a conviction for a violation of an ordinance of a municipal corporation, the judgment or final order of a court or officer inferior to the common pleas court may be reviewed in the common pleas court; a judgment or final order of any court or officer inferior to the circuit court may be reviewed in the circuit court; and a judgment or final order of the circuit court or the common pleas court in cases of conviction of a felony or a misdemeanor, and the judgment of the circuit court in any other case involving the constitutionality or construction of a statute, may be reviewed by the supreme court; but the supreme court shall not in any criminal cause or proceeding, except when its jurisdiction is original, be required to determine as to the weight of the evidence. (See Sec. 6710.)

Sec. 7362. Upon the filing of such petition in error in the supreme court, the execution of sentence shall, in cases of felony, be thereby suspended; and in cases of misdemeanor, the court or judge allowing the motion shall order such suspension; but no proceedings in error in any other court shall suspend execution of sentence, unless, in capital cases, such suspension be for good cause shown, and on motion, and notice to the prosecuting attorney of the proper county, ordered by a majority of the judges of the circuit court of the county, and in other cases in such court by one judge thereof, and in cases in the common pleas court by one of the judges of such court.

SECTION 5. That sections 16, 83, 97, 110 as amended April 19, 1883 (80 v. 212), 149, 150, 204, 211, 352 as amended March 14, 1882 (79 v. 36), 439, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455 as amended April 18, 1883 (80 v. 169), 457, 458, 459, 466 as amended April 13, 1880 (77 v. 200), 468, 472, 498, 503 as amended April 13, 1880 (77 v. 188), 517, 518, 549, 550, 551, 552, 553 as amended February 15, 1884 (81 v. 22), 555, 557, 561, 563, 1211, 1242, 1255, and 1256 as amended March 24, 1881 (78 v. 88), 1257, 1273, 1321, 1322, 1323, 2960, 2978, 2980, 2994, 3005, 4969 as amended February 23, 1882 (79 v. 15), 5162, 5168, 5225, 5226 as amended April 16, 1883 (80 v. 117), 5227, 5228, 5233, 5235, 5236, 5237, 5239, 5255, 5269, 5354 as amended March 9, 1880 (77 v. 42), 5369 as amended April 14, 1880 (77 v. 201), 5376, 5415, 5573, 5584, 5587, 5727, 5861, 5865, 6709, 6710 as amended April 18, 1883 (80 v. 169), 6712, 6718, 6726, 6730, 6738, 6740, 6742 as amended April 15, 1880 (77 v.

Actions in quo warrant to where brought.

Appointment of counsel to assist prosecuting attorney.

Judgments and final orders in criminal cases to be reviewed in what courts.

Supreme court not required to determine as to weight of evidence except.

Suspension of execution of sentence in criminal cases.

Repeals.

265), 6768, 7196, 7356 as amended April 18, 1883 (80 v. 169), and 7362 of the Revised Statutes of Ohio; also the act of April 14, 1884 (81 v. 16*), entitled "An act to provide for the organization of circuit courts, and to adapt existing legislation thereto," except sections 454b and 454d thereof, are hereby repealed.

Terms of circuit court and selection of chief justice for 1885.

SECTION 6. The terms of the circuit court for the judicial year A. D. 1885, and the selection of a chief justice as provided in section 449 of this act, shall be fixed at a special meeting of all the judges of the circuit court, to commence at 10 o'clock A. M., on the 10th day of February, A. D. 1885, in the city of Columbus.

SECTION 7. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 7, 1885.

[Senate Bill No. 25.]

AN ACT

To amend section 4242 of the Revised Statutes of Ohio, as amended March 29, 1883. (O. L. v. 80, p. 88.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section four thousand two hundred and forty-two [of the Revised Statutes], as amended, be amended to read as follows:*

Duty and power of township trustees in respect to controversies about partition fences; assignment of fence to be constructed or kept in repair by each party, how made.

Section 4242. When any controversy arises about the rights of owners of adjoining lands, both of which are enclosed, in relation to building or maintaining partition fences, and their obligation to build and maintain the same in good repair, either party may apply to the trustees of the township in which such premises or fence are situate, who, on application, shall, after not less than ten days' written notice to all parties interested in the title or possession of the premises or the construction or repair of the fence, proceed to view the fence, or premises where the fence is to be built, and assign, in writing, to each party his equal share thereof, to be by him constructed or kept in repair so as to be in all respects a good and substantial fence; the assignment shall also specify the time within which such fence and each of its parts shall be constructed or repaired; and shall be binding upon the parties and all succeeding occupants of the premises for one year thereafter, and until a new assignment is made. Provided, however, that if the owner is a non-resident of the county, then the notices provided for in this section and section four thousand two hundred and forty-three, may be served on his authorized agent or the person occupying the premises, and at the same time they shall mail a notice to the owner, if his post-office address is known.

SEC. 2. That said section 4242 of the Revised Statutes as amended, be and the same is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 3, 1885.

[Senate Bill No. 267.]

AN ACT

Amending section two of an act entitled "an act to authorize county commissioners in certain cases to accept devises and legacies, and to erect and maintain an orphan asylum in connection with a children's home," passed February 11, 1869. (O. L., v. 66, p. 8.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the above recited act be amended to read as follows :

Section 2. That in case of the acceptance of any such trust and bequest by the commissioners of any such county, it shall be lawful for such commissioners, if they see proper to do so, to attach to such an institution, to be erected and maintained out of funds and property so bequeathed and devised, and the like amount of income to be annually furnished by said county as aforesaid, a "children's home," which shall be an asylum for all other persons resident of the county where such home is located, under sixteen years of age, who by reason of abandonment by parents, neglect or inability of parents to provide for them, or other cause, shall, in the opinion of the trustees of said institution hereinafter provided for, be deemed suitable and proper persons to be admitted thereto; and the name, birthplace and age of each person so admitted, together with the names and residence of the parents of each person, and such other statements in relation to said persons as may be deemed necessary and proper, including the time of reception and discharge, shall be recorded by the superintendent of such institution, in a book to be provided by the county, for that purpose, which book shall be open to public inspection.

County commissioners accepting devises to found asylum for orphan children, may attach a "children's home" to be erected and supported out of property so devised.

Records of superintendent.

SEC. 2. The original section to which this is amendatory is hereby repealed. Repeal.

SEC. 3. This act shall take effect on its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 4, 1885.

[Senate Bill No. 295.]

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended March 27, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand four hundred and fifty-four of the Revised Statutes of Ohio, as amended March 27, 1884, be amended so as to read as follows:

Criminal
jurisdiction
of the probate court,
and in what
counties.

Section 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors in all proceeding to prevent crime in the following counties: Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Pickaway, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Seneca, and Morrow.

Repeal.

SEC. 2. The said original section 6454, as amended March 27, 1884, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after the fifteenth day after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 10, 1885.

[Senate Bill No. 298.]

AN ACT

To amend section 4891 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and ninety-one [of the Revised Statutes] be amended so as to read as follows:

Township
trustees
charged with
the repair of
improved
roads.

Section 4891. The township clerk, on receipt of such notice from the auditor, shall immediately notify the township trustees of such fact, who shall, upon receipt of the notice, have full charge and control of all such roads as are herein provided for within their townships; and the trustees shall divide such road, or roads, into sections of not less than one-half mile each, and shall keep them in repair, and in good condition for all kinds of public travel, and for that purpose they are invested with all necessary powers as to drainage, the purchase of stone, gravel, or other

material, or if necessary, the condemnation of such material for the repair of the roads within their townships, as are, or may be conferred by law upon county commissioners.

SEC. 2. That section 4891 of the Revised Statutes of Ohio be Repeal.
and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 10, 1885.

[Senate Bill No. 342.]

AN ACT

To amend section 3 of an act entitled "an act supplementary to an act relating to soldiers' memorial associations," (passed April 2, 1884.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of said act entitled "an act supplementary to an act relating to soldiers' memorial associations," be so amended as to read as follows:

Section 3. That where the city council of any city of the first class and third grade shall deem it necessary to provide for the deposit and safe keeping of any arms, ammunition or munitions of war, or to provide armory or drill rooms for such company or companies of the Ohio national guard, as now exists or may be hereafter organized under the laws of Ohio, it shall be lawful for such municipal authorities to contract with and assume to pay to such associations or corporations such reasonable rent for the use of such building as may be agreed upon between such authorities and associations or corporations.

And it shall be lawful for said municipal authorities to advance to said associations or corporations the rents so to be agreed upon, and to repay said rents by its bonds, notes or otherwise, as may be agreed upon between the parties. And for the purpose aforesaid, and to carry out and fulfill any obligations or contracts made under the act aforesaid, as originally passed, such city is authorized to issue its bonds in the aggregate not to exceed forty thousand dollars (\$40,000), payable at such times as the common council of such city may determine; but not to exceed thirty (30) years from the date of the issue thereof; which bonds shall bear a rate of interest not exceeding six (6) per cent. per annum, and shall not be sold for less than par and accrued interest thereon.

When council of certain cities may rent hall of soldiers' memorial association for an armory.

Advance of rent and issue of bonds.

Repeal.

SEC. 2. That section three (3) of an act entitled "an act supplementary to an act relating to soldiers' memorial associations," be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 10, 1885.

[Senate Bill No. 370.]

AN ACT

To amend section six of an act entitled "an act to revise and consolidate the statutes relating to the organization and jurisdiction of the circuit and other courts," passed February 7, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section six of the above recited act be so amended as to read as follows:

Times of
holding cir-
cuit courts
and select-
ing of a chief
justice in
1885.

Notice when
dispensed
with.

Repeal.

Section 6. The terms of the circuit court for the judicial year, A.D. 1885, and the selection of a chief justice, as provided in section 449 of this act, shall be fixed at a special meeting of all the judges of the circuit court, to commence at ten o'clock A.M. on the tenth day of February, A.D. 1885, in the city of Columbus. Provided, that if the time fixed for the commencement of the first term for the year 1885, in any county of any circuit, be fixed at or changed to a time, such that the notice required by section 449 cannot be given for want of time, said notice shall not be deemed necessary.

SEC. 2. That said original section six be and the same is hereby repealed.

SEC. 3. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 10, 1885.

[House Bill No. 660]

AN ACT

To authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust industrial disputes between employers and employed.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the court of common pleas of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of the petition, or of the agreement hereinafter named, it shall be the duty of said court, or a judge thereof in vacation, to issue in the form hereinafter named, a license or authority for the establishment within and for each county of tribunals for voluntary arbitration and settlement of trade disputes between employers and employed in the manufacturing, mechanical, or mining industries.

Licensing of tribunals of voluntary arbitration to adjust industrial disputes.

SEC. 2. The said petition or agreement shall be substantially in the form hereinafter given, and the petition shall be signed by at least forty persons employed as workmen and by four or more separate firms, individuals, or corporations within the county, or by at least four employers, each of whom shall employ at least ten workmen, or by the representative of a firm, corporation, or individual employing not less than forty men in their trade or industry, provided, that at the time the petition is presented, the judge before whom said petition is presented, may, upon motion, require testimony to be taken as to the representative character of said petitioners, and if it appears that the said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of the said tribunal may be denied, or may make such other order in this behalf, as to him shall seem fair to both sides.

The petition and petitioners.

SEC. 3. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of employers and workmen, the judge shall forthwith cause to be issued a license substantially in the form hereinafter given, authorizing the existence of such tribunal and fixing the time and place of the first meeting thereof, and an entry of the license so granted shall be made upon the journal of the court of common pleas of the county in which the petition originated.

Denial of license.

Issuing of the license.

SEC. 4. Said tribunal shall continue in existence for one year from the date of the license creating it, and may take jurisdiction of any dispute between employers and workmen in any mechanical, manufacturing, or mining industry or business, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit their disputes in writing to such tribunal for decision. Vacancies occurring in the membership of the tribunal shall be filled by the judge or court that licensed said tribunal, from three names presented by the members of the tribunal remaining of that class in which the vacancies occur. The removal of any member to an adjoining county, shall not cause a vacancy in either the tribunal or the post of umpire. Disputes occurring in one county may be referred to a

Term of the tribunal; jurisdiction of; vacancies in; disputes in adjoining county; umpire and effect of his award.

tribunal already existing in an adjoining county. The place of umpire in any of said tribunals and vacancies occurring in such place, shall only be filled by the mutual choice of the whole of the representatives, of both employers and workmen constituting the tribunal, immediately upon the organization of the same. The umpire shall be called upon to act after disagreement is manifested in the tribunal by failure during three meetings held and full discussion had. His award shall be final and conclusive upon such matters only as are submitted to him in writing and signed by the whole of the members of the tribunal, or by parties submitting the same.

Constitution and organization of the tribunal.

SEC. 5. The said tribunal shall consist of not less than two employers or their representatives, and two workmen. The exact number, which shall in each case constitute the tribunal, shall be inserted in the petition or agreement, and they shall be named in the license issued. The said tribunal, when convened, shall be organized by the selection of one of their number as chairman and one as secretary, who shall be chosen by a majority of the members, or if such majority cannot be had after two votes, then by secret ballot, or by lot, as they prefer.

Expenses of the tribunal; its sessions where to be held.

SEC. 6. The members of the tribunal shall receive no compensation for their services from the city or county, but the expenses of the tribunal, other than fuel, light, and the use of the room and furniture, may be paid by voluntary subscription, which the tribunal is authorized to receive and expend for such purposes. The sessions of said tribunal shall be held at the county seat of the county where the petition for the same was presented, and a room in the court-house for the use of said tribunal, shall be provided by the county commissioners.

Power to administer oaths and to provide for examination of books, etc.

SEC. 7. When no umpire is acting, the chairman of the tribunal shall have power to administer oaths to all witnesses who may be produced, and a majority of said tribunal may provide for the examination and investigation of books, documents, and accounts pertaining to the matters in hearing before the tribunal, and belonging to either party to the dispute; provided, that the tribunal may unanimously direct that instead of producing books, papers, and accounts before the tribunal, an accountant agreed upon by the entire tribunal, may be appointed to examine such books, papers, and accounts, and such accountant shall be sworn to well and truly examine such books, documents, and accounts as may be presented to him, and to report the results of such examination in writing to said tribunal. Before such examination the information desired and required by the tribunal shall be plainly stated in writing and presented to said accountant, which statement shall be signed by the members of said tribunal, or by a majority of each class thereof. Attorneys at law or other agents of either party to the dispute, shall not be permitted to appear or take part in any of the proceedings of the tribunal, or before the umpire.

Appointment of accountant.

Neither party to be represented by agents.

Powers of the umpire.

SEC. 8. When the umpire is acting he shall preside, and he shall have all the powers of the chairman of the tribunal; and his determination upon all questions of evidence, or other questions, in conducting the inquiries then pending, shall be final. Committees of the tribunal consisting of an equal number of each

| EMPLOYEES. | NAMES. | RESIDENCE. | BY WHOM EMPLOYED. |
|------------|--------|------------|-------------------|
| | | | |

Form of the
license.

SEC. 11. The license to be issued upon such petition, may be as follows:

State of Ohio, } s. s.
— *County,* }

WHEREAS, The joint petition and agreement of four employers (or representatives of a firm, corporation, or individual, employing forty men, as the case may be), and forty workmen has been presented to this court, (or if to a judge in vacation, so state), praying the creation of a tribunal of voluntary arbitration for the settlement of disputes in the — trade within this county, and naming A, B, C, D, and E, representing the employers, and G, H, I, J, and K, representing the workmen. Now, in pursuance of the statute for such case made and provided, said named persons are hereby licensed and authorized to be and exist as a tribunal of voluntary arbitration for the settlement of disputes between employers and workmen for the period of one year from this date, and they shall meet and organize on the — day of —, A. D. — at —.

Signed, this — day of —, A. D. —.

— Clerk of the Court of Common Pleas of — County.

Form of
submission
to umpire.

SEC. 12 When the tribunal agrees to submit a matter in controversy to the umpire, it may be in form as follows:

We, A, B, C, D, and E, representing employers, and G, H, I, J, and K, representing workmen, composing a tribunal of voluntary arbitration, hereby submit and refer unto the umpirage of L. (the umpire of the tribunal of the — trade.) the following subject-matter, namely: [Here state fully and clearly the matter submitted.] And we hereby agree that his decision and determination upon the same shall be binding upon us, and final and conclusive upon the question thus submitted; and we pledge ourselves to abide by and carry out the decision of the umpire when made.

Witness our names this — day of —, A. D. —.

[Signatures.]

The um-
pire's award.

SEC. 13. The umpire shall make his award in writing to the tribunal, stating distinctly his decisions on the subject-matter submitted. And when the award is for a specific sum of money, the umpire shall forward a copy of the same to the clerk of the proper court.

SEC. 14. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 10, 1885.

[House Bill No. 585.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio, as amended April 14, 1884, (O. L. v. 81, p. 202.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four thousand eight hundred and eighty-nine of the Revised Statutes, as amended April 14, 1884, (O. L. v. 81, p. 202), be amended so as to read as follows :

Sec. 48-9. Each township in the counties of Belmont, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Henry, Huron, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Pickaway, Pike, Preble, Ross, Shelby, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren, Miami, and Wayne, in which any such free road is located, shall be a road district, for the care and maintenance thereof.

Each township in certain counties made a road district for the repair of improved roads.

SEC. 2. Said section 4889, as amended April 14, 1884, be and the same is hereby repealed ; and this act shall take effect and be in force from and after its passage.

Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 4, 1885.

[House Bill No. 571.]

AN ACT

In relation to the sale and use of opium.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That every person who opens or maintains, to be resorted to by other persons, any place where opium, or any of its preparations, is sold or given away, to be smoked at such place, and any person who at such place sells or gives away any opium or its said preparations, to be there smoked or otherwise used, and any person who visits or resorts to any such place for the purpose of smoking opium, or its said preparations, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

Sale and use of opium; keeping a place therefor or resorting to such place a misdemeanor.

Penalty.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 727.]

AN ACT

To change the time for holding the second term of the court of common pleas in the county of Allen for the year 1885.

Changing
time of
holding com-
mon pleas
court in
Allen county

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the second term of the court of common pleas in the county of Allen, as fixed by the judges of the third judicial district, be and the same is hereby changed, and that said term of said court shall be held, beginning on the 4th day of May, A.D. 1885, instead of the 3d of May, as fixed by said judges.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 724.]

AN ACT

Supplementary to section 2229 Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2229 of the Revised Statutes with sectional numbering as herein provided:

How far
boards of
public
works in
cities of first
class, first
grade, may
contract for
pumping en-
gines; cost,
how paid.

Section 2229a. That in any city of the first grade of the first class, should it be deemed necessary by the board of public works of said city to provide new pumping engines for water-works purposes, and the requisite amount of money to pay for the same shall not be in the proper funds applicable to such uses, the said board may, nevertheless, contract for the building and furnishing of such necessary engines at a cost not exceeding one hundred and fifty thousand dollars; provided, however, that the cost of the same shall be fully paid within said limits out of the ordinary revenue of said water-works arising from the future earnings thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 4, 1885.

[House Bill No. 717.]

AN ACT

To amend sections 3427, 3428 and 3430 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3427, 3428 and 3430 of the Revised Statutes be so amended as to read as follows:

Section 3427. The governor, upon the application of a company owning or using any railroad in this state, shall appoint and commission such persons as the company may designate, or as many thereof as he may deem proper, to act as policemen for and upon the premises of such railroad, or elsewhere when directly in the discharge of their duties for such railroad; and all policemen so appointed shall be citizens of the state of Ohio, and men of good character; and said policemen shall hold their office for three years, unless their commissions be revoked by the governor for good cause shown, or by the railroad company as provided by section 3432 of the Revised Statutes, and all commissions heretofore issued by the governor of this state, under and by virtue of section 3427 of the Revised Statutes of Ohio, as passed March 18, 1867, shall expire, and the authority under and by virtue of the same shall be revoked on and after the first day of June, 1885.

Appoint-
ment of rail-
road police;
their qualifi-
cations, term
of office and
revocation of
commission.

Section 3428. Each policeman so appointed shall, before entering upon the duties of his office, take and subscribe an oath of office, which shall be endorsed upon his commission; a certified copy of such commission, with the oath, shall be recorded in the office of the clerk of the court of common pleas in every county through or into which the railroad for which such policeman is appointed runs, and for which it is intended he shall act; and policemen so appointed and commissioned shall severally possess and exercise all the powers, and be subject to all the liabilities of policemen of cities of the first class, in the several counties in which they are authorized to act while in the discharge of their duties for which they are appointed.

Oath; record
of commis-
sion; powers
and liabili-
ties of such
police.

Section 3430. Each policeman so appointed and commissioned, shall wear in plain view, when on duty, as heretofore specified, a metallic shield with the word "Police," and the name of the railroad for which he is appointed inscribed thereon, except while acting as detective in the discharge of his duties for such railroad.

Such police
to wear
badges,
when.

SEC. 2. Said sections 3427, 3428, and 3430 be and the same are hereby repealed; and this act shall be in force from and after its passage.

Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 18, 1885.

[House Bill No. 628.]

AN ACT

To amend section 2985 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-nine hundred and eighty-five of the Revised Statutes be so amended as to read as follows:

If general assembly not in session who to open and canvass certain returns of election, and how.

Section 2985. If the General Assembly of the State should not be in session in January, previous to the second Monday thereof, next after an election for all or any of the executive officers of the state, the governor and secretary of state shall, within five days thereafter, in the office of the secretary of state, in the presence of at least two of the judges of the supreme court, open the returns of abstract number two, made to the secretary of state, for said offices; and if such returns have not been received from all the counties, recourse shall be had, for such delinquent counties, to the returns of the abstract number three; and they shall forthwith proceed to ascertain the number of votes given for the different persons, for the several offices of governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, and attorney-general, as the case may be; and the person having the highest number of votes for any of said offices shall be considered duly elected, and shall be so declared by the governor; but if it appear, from the returns of abstracts aforesaid, that two or more persons have the highest and an equal number of votes for any of said offices, the governor shall communicate such fact to the general assembly, by message, at its first session thereafter.

Repeal.

SEC. 2. That said original section 2985 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 4, 1885.

[House Bill No. 604.]

AN ACT

To amend section 4443 of the Revised Statutes of Ohio, as amended April 10, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4443 (of the Revised Statutes,) as amended April 10, 1884, be so amended as to read as follows:

Fixing the standard weight of a bushel of certain articles.

Section 4443. A bushel of the respective articles hereinafter mentioned, shall mean the amount of weight, avoirdupois, in this section specified, viz.:

Of wheat, sixty pounds.

Of rye, fifty-six pounds.

Of oats, thirty-two pounds.
 Of clover seed, sixty pounds.
 Of timothy seed, forty-five pounds.
 Of hemp seed, forty-four pounds.
 Of millet seed, fifty pounds.
 Of buckwheat, fifty pounds.
 Of beans, sixty pounds.
 Of peas, sixty pounds.
 Of hominy, sixty pounds.
 Of Irish potatoes, sixty pounds.
 Of sweet potatoes, fifty pounds.
 Of onions, fifty pounds.
 Of dried peaches, thirty-three pounds.
 Of dried apples, twenty-two pounds.
 Of flax seed, fifty-six pounds.
 Of barley, forty-eight pounds.
 Of malt, thirty-four pounds.
 Of Hungarian grass seed, fifty pounds.
 Of lime, seventy pounds.
 Of coke, forty pounds.
 Of bituminous coal, eighty pounds.
 Of cannel coal, seventy pounds.
 Of corn, shelled, fifty-six pounds.
 Of tomatoes, fifty-six pounds.
 Of apples, forty-eight pounds.
 Of peaches, forty-eight pounds.
 Of corn in the ear, sixty-eight pounds. (66 v. 28, § 1; 66 v. 117, 34, § 1; 72 v. 14, § 1; 74 v. 33, § 1; 81 v. 133, 134, § 1.)

SEC. 2. That said original section 4443, as amended April 10, 1881, be and the same is hereby repealed; and this act shall be in force and take effect on and after its passage. Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 5, 1885.

[Senate Bill No. 338.]

[MIAMI COUNTY.]

AN ACT

To authorize the county commissioners of certain counties to grant the right of way over county roads for street railroad purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of any county within this state, having by the federal census of 1880 a population equal to and not exceeding thirty-six thousand one hundred and seventy-eight, shall have the power to grant the right of way over and upon any of the turnpikes or county roads of said county for the purpose of constructing and maintaining a street railway thereon.

County commissioners of certain county empowered to grant right of way over county roads for street railroad.

Bond required.

SEC. 2. Before granting the right provided for in the first (1st) section of this act, said commissioners shall require a bond to be given in such reasonable amount as they may determine, conditioned that said street railway shall be kept in good repair, and that no unnecessary damage be done in the construction of said railway.

SEC. 3. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 12, 1885.

[House Bill No. 730.]

AN ACT

To reorganize and consolidate cities of the first grade of the second class (Columbus), and to reduce the tax levy of said cities.

Trustees of sinking fund in cities of first grade, second class, shall redistrict such cities into wards, how and when.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the second class, it shall be the duty of the trustees of the sinking fund, heretofore appointed under an act passed April 16, 1883, entitled "an act to amend sections 2715, 2716, 2721, 2722, 2724, and 2729 of the Revised Statutes of Ohio," (O. L., vol. 80, pp. 139, 140, and 141,) to proceed within five days after the passage of this act, with the aid of such engineers and assistants as they may deem necessary, to redistrict such cities into as many wards as, in their opinion, may be deemed advisable, which shall be bounded by streets, alleys, avenues, public grounds, canals, water courses, or corporation lines, and be composed of adjacent and compact territory; and such wards shall contain as nearly an equal number of inhabitants as may, in the opinion of such trustees, or a majority of them, be deemed practicable; which wards shall be numbered consecutively, commencing with the number one.

Plat of proposed division; notice, hearing, alterations; copies of plat of division as made.

SEC. 2. Such trustees, or a majority of them, shall cause a plat of the proposed division or redistricting to be made, showing the wards so proposed, and shall give notice that the same is open for inspection at a place to be named, by publication in at least one daily newspaper published and of general circulation in the corporation. The trustees shall meet, at such times and places as may be stated in the published notice, to hear and consider any objections, complaints, or petitions that may be presented or urged against such proposed division and redistricting; and after hearing the same, the trustees, or a majority of them, may make such alterations therein as they may deem proper. The trustees shall cause copies of the plat to be made of the wards as finally adopted, with a description of the boundaries of the same, and shall deposit one copy, certified by such trustees, or a majority

of them, with the mayor, and another with the city clerk, who shall immediately record the same in the record book of general ordinances.

SEC. 3. The adoption of such division and redistricting by such trustees, or a majority of them, shall be deemed complete and final, and shall operate as a repeal of any ordinance of the council of such cities establishing the boundaries of wards therein; and such division and redistricting shall have the same force and effect as if made by ordinance of council; and the wards so established shall not again be changed before the third regular meeting of the council after the annual municipal election next after such redistricting.

When redistricting shall be final; its force and effect; wards may again be changed, when.

SEC. 4. Such trustees shall designate one place of holding elections in each of said wards, which shall not be changed before the third regular meeting of council held after the first annual municipal election next after the passage of this act; and the wards so established shall not be subdivided into election precincts before such third regular meeting. Such trustees, or a majority of them, shall certify to the city clerk such designation of voting places, who shall immediately record the same in the record book of general ordinances; and such designation of voting places shall be deemed complete and final, until duly changed by the council of such cities, and shall operate as a repeal of any resolution or ordinance of the council of such cities establishing the precincts of wards, designating the voting places, or selecting or appointing judges of election therein. At the first municipal election held in such cities after the passage of this act, the judges of election, not more than two of whom shall belong to the same political organization, and the clerks of election, who shall be of opposite politics, shall be chosen by the electors of the wards present at the organization of the polls. And the mayor, in issuing his proclamation of the time and places of holding elections in such cities, shall be governed and controlled by such division and redistricting into wards, and by such designation as to places of holding elections, as fully as though the same had been made and designated by ordinance of council.

Voting places and election precincts. Judges and clerks of first city election; mayor's proclamation.

SEC. 5. The expenses of such trustees, including the compensation of engineers and assistants employed, shall be paid out of the general revenue fund of such cities upon presentation of an order signed by such trustees, or a majority of them, to the city clerk, who shall issue his warrant for the amount upon the treasurer, who shall pay the same, but the trustees shall serve without compensation.

Expense of redistricting.

SEC. 6. At the first municipal election held in cities of the first grade of the second class next after such division and redistricting, one member of the city council shall be elected in each of the wards so constituted, by the electors thereof, those in the even numbered wards to serve for one year, and those in the odd numbered wards to serve for two years, and thereafter the successors of those whose terms expire shall be elected to serve for two years. Members of council in such cities in office at the time of such division and redistricting shall hold their offices until the members so elected shall be qualified, whereupon their offices as such councilmen [shall] cease and determine.

Members of council; election of and term of office.

Members of the board of education; election of and term of office.

SEC. 7. At the first municipal election in such city next after such division and redistricting, one member of the board of education of such cities shall be elected in each of the wards so constituted, by the electors thereof, those in the even numbered wards to serve for one year, and those in the odd numbered wards to serve for two years, and thereafter the successors of those whose terms expire shall be elected to serve for two years. Members of the board of education in such [cities] in office at the time of such division and redistricting shall hold their offices until the members so elected shall be qualified, whereupon their offices as members of such board of education shall cease and determine.

Tax levies of council and board of education.

SEC. 8. The aggregate of all taxes, which the council, in cities of the first grade of the second class, may levy or order to be levied, above the tax for county and state purposes, including the levy for general purposes, shall not exceed in any one year, eight mills; but said council shall levy, in addition thereto, such further rate, not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of such cities issued for the purpose of building and maintaining trunk sewers therein. And such council may apportion such levy between the several municipal departments in such proportion to their needs as the council may deem necessary, subject, however, to the provisions and limitations, so far as the same may be applicable, of the act of April 16, 1883, entitled "an act supplementary to chapter one, division nine, of title twelve, of the Revised Statutes of Ohio, and to amend sections 2689, 3958, and 3959, of the Revised Statutes." The board of education of such cities of the first grade of the second class, shall not exceed in its estimate and levy of the amount of money necessary to be levied as a contingent fund for the continuance of the school or schools therein after the state funds are exhausted, to purchase, care, repair, and furnish school-houses and build additions thereto, and for other school purposes, five mills.

Board of control; how constituted; selection and term of members.

SEC. 9. In cities of the first grade of the second class there shall be a board of control, composed of three members, not more than two of whom shall belong to the same political party, electors of such cities, to be chosen in the first instance, by the council of such cities elected at the first annual municipal election held therein after the passage of this act, and within twenty days after the organization thereof, one of which members shall serve for one year, one for two years, and one for three years from the date of such appointment or selection, and thereafter a successor of the member of such board whose term expires shall be chosen by the council to serve for the term of three years, and the members of such board shall serve until their successors are chosen and qualified. Vacancies in such board shall be filled by the council for the unexpired term.

Its members to give bond.

SEC. 10. Each member of such board of control shall give bond, with at least three sureties to the satisfaction of the council, in the sum of twenty-five thousand dollars, conditioned for the faithful performance of his duties, which sureties shall each be required to take an oath that he is worth the amount of the bond above all liabilities.

SEC. 11. The members of the board shall devote their entire time and attention to the duties of the office, and shall each receive, as compensation, a salary of twenty-five hundred dollars per annum.

Compensation of its members.

SEC. 12. The board shall hold daily meetings, and a majority shall constitute a quorum for the transaction of business; the ayes and nays shall be called and entered upon a journal, upon the passage of every resolution or order of any kind, and no resolution or order shall be adopted unless two votes are recorded in its favor.

Meetings; quorum; passage of resolutions.

SEC. 13. The board shall keep a complete record of all its proceedings, and a copy from its records, certified by its clerk, shall be competent evidence in all courts; but a separate journal and record shall be kept for each of the departments under the control of the board.

Record of its proceedings.

SEC. 14. The board of control may appoint and employ such superintendents, heads, and chiefs of departments, engineers, clerks, laborers, and other persons, as may be necessary for the execution of its duties, and fix their salaries and compensation; but the salaries of such superintendents, heads, chiefs of departments, clerks, and engineers, as are appointed for a definite time, shall be fixed within limits to be prescribed by council, and shall not be changed during the term for which they are appointed; and any such appointees or employees, or any person holding an office or employment under any board of which said board of control may be the successor, may be removed by the board of control at any time. The appointment of heads, chiefs, or superintendents of departments shall be confirmed by council.

Appointment, salaries and removal of city employees.

SEC. 15. The board of control shall have all the powers, perform all the duties, and have and exercise all the privileges which, in other cities, are vested in and devolve upon the trustees of the water works, the board of improvements, the park commissioners, the board of police commissioners in cities of the second grade of the second class, and the board of fire commissioners in cities of the second grade of the first class, as provided in the Revised Statutes and the amendments thereto relating to those matters, and shall be governed by the rules prescribed by law for the government of those boards, when not inconsistent with the provisions of this act. And said board shall have all the powers, perform all the duties, and be subject to the same restrictions which are vested in, or devolve, or are imposed upon boards of public works in cities of the first grade of the first class, as provided in the Revised Statutes by sections two thousand two hundred and thirteen (2213) to two thousand two hundred and thirty (2230), inclusive, and the amendments thereto. Members of the board of trustees of water works, of the board of police commissioners, and of the board of park commissioners, in such cities of the first grade of the second class, in office when this act takes effect, shall hold their offices until ten days after the members of said board of control shall be chosen, or appointed and qualified, whereupon their offices as members of such board shall cease and determine. In cities of the first grade of the second class, no election for members of the board of trustees of water-works shall be held,

Powers and duties of, and rules governing the board of control.

Amendment.

nor members of such board elected, after the passage of this act, such board with respect to such cities being hereby abolished.

SEC. 16. That section nineteen hundred and ninety-eight (1998) of the Revised Statutes be so amended as to read as follows:

Board of police commissioners in Dayton.

Section 1993. In cities of the second grade of the second class, all powers and duties with respect to the appointment, regulation, government and control of the police, shall, as now, be vested in and exercised by a board, consisting of the mayor, who shall be president, and four commissioners, who shall be electors and freeholders of the city, and a majority shall constitute a quorum.

Amendment.

SEC. 17. That section two thousand four hundred and seventy-seven (2477) of the Revised Statutes be so amended as to read as follows:

Application of statutory provisions.

Section 2477. The provisions of this subdivision shall not apply to cities of the first and second grades of the first class, and cities of the first grade of the second class, except as to matters concerning which no provision is made in the first and second subdivisions of this chapter.

City officers: appointment and election of and term of office.

SEC. 18. The officers of cities of the first grade of the second class, except as provided in this act, shall consist of a mayor, who shall be chosen by the electors of the corporation, a police judge, a prosecuting attorney of the police court, who shall also act as assistant prosecuting attorney of the county in which such cities are located, a clerk of the police court, a solicitor and a city clerk, all of whom shall be chosen in the first instance by the council of such cities elected at the first annual municipal election held therein after the passage of this act, and within twenty days after the organization thereof, and thereafter a successor of the officer whose term expires shall be chosen by the council; the officers so chosen by council shall serve for the term of two years; and vacancies in any such offices shall be filled for the unexpired term. All offices in cities of the first grade of the second class, heretofore created by ordinance of council shall cease and determine at the expiration of ten days after the selection and qualification of said board of control.

Amendment.

SEC. 19. That section seventeen hundred and eighty-five (1785) of the Revised Statutes [be] so amended as to read as follows:

Police court.

Section 1785. In cities of the first class and in cities of the first grade of the second class, there shall be a court, held by the police judge, which court shall be styled the police court and be a court of record.

Amendment.

SEC. 20. That section two thousand one hundred and forty-one (2141) [of the Revised Statutes,] as amended April 8, 1881, be so amended as to read as follows:

Who shall act in place of the board of health.

Section 2141. In cities of the third grade of the first class, and in cities of the first grade of the second class, there shall be no board of health, but the board of police commissioners in cities of the third grade of the first class, and the board of control in cities of the first grade of the second class, shall exercise all the powers and perform all the duties of the boards of health and mayors in this chapter.

SEC. 21. The council in cities of the first grade of the second class, shall, on the first Monday of September, in each year, select and appoint two judges of election of opposite politics, for each voting place in such cities, and the electors of the voting district shall select a third man to serve as judge of such election at the organization; the persons so appointed shall be electors and residents at least sixty days in the ward for which they are appointed; the mayor shall forthwith cause notice to be given to each person so appointed, and shall cause a record to be made and kept in his office of such appointments, and the persons so appointed shall act as judges of election in their proper voting districts during the period of one year; they shall take the same oath of office, be subject to the same requirements, penalties, liabilities, and disqualifications, and entitled to the same compensation as other judges of election; they shall designate and appoint two clerks of election of opposite politics, who shall take an oath of office, and shall perform all the duties and be subject to all the liabilities, as other clerks of election; and if any such judges or clerks fail to attend, at the proper time and place, such judges and clerks, and all additional judges and clerks, shall be chosen by the electors of the ward.

Judges and clerks of elections subsequent to first city election.

SEC. 22. That sections seventeen hundred and eighty-five (1785), nineteen hundred and ninety-eight (1998), two thousand four hundred and seventy-seven (2477), and two thousand one hundred and forty-one (2141), of the Revised Statutes, be and the same are hereby repealed; that all acts and parts of acts inconsistent or in conflict with the provisions of this act be and the same are hereby repealed, in so far as they may apply to cities of the first grade of the second class; and the provisions of section 2933 Revised Statutes as amended March 6, 1883, shall not apply to cities of the first grade of the second class; and that all ordinances of such cities of the first grade of the second class, heretofore adopted which may be in conflict or inconsistent with the provisions of this act, be and the same are hereby set aside, repealed and held for naught; provided that nothing in this act shall be so construed as to affect, in any manner, the tenure of any lands that may have been donated to such cities for park or other public purposes; and provided, further, that nothing in this act contained shall be so construed as to affect or interfere in any manner with the term of any incumbent in office, except in cities of the first grade of the second class.

Statutory provisions and ordinances repealed or made inapplicable.

This act not to affect the tenure of lands donated nor officers outside of cities of first grade, second class.

SEC. 23. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 27, 1885.

[HOUSE BILL NO. 665.]

AN ACT

To amend sections 4, 12 and 13 of an act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 24, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 4, 12 and 13 of the above recited act be amended to read as follows:

Convict labor in penitentiary, how to be employed.

Machinery, materials, etc.

Classification of such labor on the piece plan; products thereof and bids therefor, their acceptance and rejection.

Proviso.

Contractors, contracts and employment of prisoners.

Section 4. From and after the expiration of the contracts now in force between the state and the contractors for the labor of the prisoners confined in the said institution, none of the labor of the prisoners in said institution shall be let on contract by the day, or similar to the present contracts, except as hereinafter provided, but shall be employed by the state upon the plan and in the manner as follows, namely: The managers shall employ all persons directly for the state, whenever the legislature shall provide means for the necessary outlay for machinery, materials, etc., as capital. It shall be competent for the managers to provide employment for any number of prisoners by an agreement with manufacturers and others to furnish machinery, materials, etc., for the employment of the prisoners under the direction and immediate control of the managers and their officers; and the said managers shall make such rules as are necessary and proper for the classification of the labor of the prisoners on the piece or process plan, and before making any contract therefor they shall, if they deem best, advertise for bids for the product of such labor on the plan aforesaid, in one each of the newspapers published in Columbus, Cleveland and Cincinnati, once a week for at least four weeks; the advertisement shall specify the kind and quantity of labor to be employed, and such other particulars as may be necessary. Each bid shall specify the amount bid for the product of such labor on the piece or process plan, provided, that convicts temporarily idle upon the passage of this act, may be contracted for on the above plan without advertising. Each bid shall be accompanied with a bond with sureties to the satisfaction of the board that the bidder will comply with the terms of his bid if it be accepted. And said managers shall award the contract for the product of said labor to the best and most satisfactory bidder upon sufficient security to the board for the faithful performance of the contract; but the board may reject any bid if it be against the interest of the state or the welfare of the prisoners. But under no circumstance shall any contractor of the product of convict labor have correctory supervision over or control of the labor of the convict. And no contract shall be made that will bind the state to any system for a period not exceeding five years. And it shall be competent for the managers to arrange with the employer of prisoners under this act, to pay for the labor of such number of laborers necessary to the conduct of the general business (when they are employed in connection with larger numbers of other prisoners working by the piece or process plan), by the day or week, or otherwise, as may be agreed; but no arrangement shall be made or entered into by the board for a longer period than one year, that will produce less than seventy cents

per day for the labor of able bodied convicts, excepting that convicts during the first year of their sentence, or those who are entirely unskilled, or disabled by disease, or old age, cripples, females, and minors, may be temporarily hired at less than the above rate, and all prisoners under the age of twenty-two years shall be employed when possible at hand-work exclusively, for the purpose of acquiring a trade. The managers are required to employ all the prisoner that are necessary in making all articles for the various state institutions, not manufactured by such institutions, as far as practicable, and the institutions shall purchase and pay to the penitentiary the market price for all such articles.

Section 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint the following named officers, whose compensation shall be as follows: deputy warden, twelve hundred dollars per year; the clerk, ten hundred dollars per year; secretary of the board, not to exceed fifteen hundred dollars per year; the assistant clerk, at the discretion of the board, not exceeding ten hundred dollars a year; the steward, twelve hundred dollars a year; the physician, ten hundred dollars a year; the assistant deputy warden, at ten hundred dollars a year; the superintendents of the yard, kitchen, state shops and hospital, and officers in charge of the guard-room, not to exceed seventy-five dollars each, a calendar month; the male guards, sixty-five, and the female guards, fifty dollars each calendar month; provided each guard shall be allowed not to exceed fourteen days' vacation each year without reduction of pay; superintendents of the different industrial departments may be appointed when necessary to do so, at a salary not to exceed twelve hundred dollars each per year; and the warden may also appoint, as hereinbefore provided, such other officers and employes as may be necessary to carry on the educational, moral and religious features of the institution, each of whom shall receive not to exceed seven hundred and eighty dollars a year. The appointees herein provided for shall be selected for their fitness and qualifications for the position to which they may be appointed or employed, and shall hold their offices or places until removed in accordance with the provisions of section 7413 of the Revised Statutes. But no officer or employe shall be appointed or removed for political or partisan reasons; provided, further, that one guard, or one of the minor officers shall be appointed from each county until the necessary number is secured. All the appointees herein provided for shall be paid monthly out of the state treasury, on the warrant of the state auditor.

Section 13. The warden shall receive an annual salary to be fixed by the board of managers, of not more than eighteen hundred dollars, payable by the treasurer of the state, on the warrant of the auditor, in equal monthly installments, and the same shall be furnished the necessary fuel and provisions for himself and family under the direction of the board. He shall give bond with good and sufficient sureties, approved by the governor, in the sum of fifty thousand dollars, conditioned upon the faithful discharge of duty. Said bond shall be drawn by the attorney-general and deposited with the secretary of state.

Appoint-
ment of peni-
tentiary
officers and
employes;
their com-
pensation,
qualifica-
tions and re-
moval; va-
cation of
guards.

The warden:
his salary,
perquisites
and bond.

Repeal.

SEC. 2. Sections 4, 12 and 13 of the above recited act be and the same are hereby repealed; this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 27, 1885.

[House Bill No. 681.]

AN ACT

To authorize the sale of certain lands belonging to the state.

Empower-
ing certain
state officers
to plat, sub-
divide, and
sell certain
state lands
situate in
Columbus;
terms, pro-
ceeds and
report of
sale.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor, auditor of state, attorney-general, secretary of state, and the state librarian be and they are hereby authorized to have platted and subdivided into lots, with necessary streets and alleys, and to sell said lots to the highest and best bidder for one-third cash, one-third in one year, and one-third in two years, the deferred payments to be secured by first mortgage, bearing six per cent interest, payable annually, or the purchasers may pay the entire sum in cash, the following described land belonging to the state of Ohio, and situate in the county of Franklin, in said state, and in the city of Columbus, to wit: Commencing at a point on the south side of Town street, five hundred and thirty-five feet and forty-two one-hundredths feet east of the east line of Parson's avenue; thence east along the south line of Town street eight hundred and eighty feet; thence south, and at right angles with Town street, two hundred and forty-seven and fifty one-hundredths feet; thence west, and parallel with Town street, seven hundred and twenty-seven and seventy-five one-hundredths feet; thence north, and at right angles with Town street, ninety-six and eighty-seven one-hundredths feet; thence west, and parallel with Town street, one hundred and fifty-two and eighty-five one-hundredths feet; thence north and at right angles with Town street, one hundred and fifty feet, to the place of beginning; being part of the same premises conveyed to the state of Ohio by James Bryden *et al.*, by deed dated April 17, 1837. And all moneys received from the sale of said land shall be paid into the state treasury to the credit of the general revenue fund, except such sum as may be used to pay the necessary expenses of carrying out the provisions of this act. And, in his next annual message, the governor shall lay before the legislature a statement of the cost of such sale, the amount of money received and paid into the treasury, and the name of each purchaser or purchasers, and the amount paid by each, with the balance due.

May fix con-
ditions, time
and mode of
sale.

SEC. 2. The state officers above-named are hereby further authorized to make and impose such other terms, conditions, and instructions in and upon any sale of said lots as they may deem beneficial to the state, and they shall determine when such sale or sales of lots shall be made, and how many shall be sold at any sale, and whether any shall be sold in groups or not.

SEC. 3. All conveyances for lots sold as aforesaid, shall be made as provided in section 4115 of the Revised Statutes of the state. The notes and mortgages for the deferred payments aforesaid shall be made to the state, and it shall be the duty of the attorney-general to examine and determine the sufficiency of the same; and, when accepted by him as sufficient, they shall be delivered to the treasurer of state, who shall open upon the books of his office an account with said fund; and to him said notes and the interest thereon shall be paid when due, and the proceeds thereof by him placed to the credit of the general revenue fund, as hereinbefore provided. Upon payment of such notes and the interest thereon the said mortgages shall be released, as provided in section 4124 of said Revised Statutes

Conveyances for lands so sold; mortgages for deferred payments.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed February 12, 1885.

[House Bill No. 656.]

AN ACT

Supplementary to section 3709 of the Revised Statutes of Ohio, and to provide for the incorporation of societies for the detection and arrest of horse thieves.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section shall be supplementary to section 3709 of the Revised Statutes of Ohio, and shall be numbered and known as section 3709a:

Section 3709a. When any number of natural persons of any township form a society for the detection and arrest of horse thieves and other criminals, and for the mutual protection of the property of its members, such society may become a body corporate in the manner prescribed in section thirty-seven hundred and nine of the Revised Statutes, to which this is supplementary, with the right of succession, and the right to make and use a common seal, and with power to sue and be sued, to contract and be contracted with, to levy and collect, by suit, if necessary, such assessments, not exceeding three dollars annually, from each member, as may be required to carry out the objects of the society, and to make for such society needful rules and regulations not in conflict with the laws of this state.

Authorizing township societies to incorporate for the detection of horse thieves and other criminals and for mutual protection of property against such.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 10, 1885.

[House Bill No. 716.]

AN ACT

To amend section 3396 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3696 of the Revised Statutes of Ohio be amended so as to read as follows:

Secretary of
state author-
ized to fur-
nish station-
ery to board
of agricul-
ture.

Section 3696. The secretary of state is authorized to furnish the board with such stationery as may be requisite to the proper discharge of its duties, together with such blank books as may be necessary to keep the records of the transactions of the board.

SEC. 2. Said original section is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 11, 1885.

[House Bill No. 714.]

AN ACT

To amend section 752 Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 752 of the Revised Statutes of Ohio, be amended so as to read as follows:

Fairfield
county re-
form school;
its object:
youths com-
mitted there-
to, for how
long and
how dis-
charged.

Section 752. That the reform school situate in Fairfield county, has for its object the reformation of those committed to its charge, and all youths committed thereto shall be committed until they arrive at full age, unless sooner reformed. Provided, that the judge of the court sentencing such youth shall have authority to order their discharge whenever he is satisfied by a re-examination of the facts connected with the arrest, conviction and detention of the person confined, due notice of the time and place of such rehearing having first been given by the court to the superintendent of the reform farm, that the future welfare of such youth and the interests of society will not be endangered thereby; and said authority shall extend to all such youths already committed and now inmates of reform schools as well as [to] those hereafter committed.

Repeal.

SEC. 2. Said original section 752 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 18, 1885.

[House Bill No. 541.]

AN ACT

Regulating the employment by railroads of persons affected with color blindness or other defective sight.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no railroad company shall hereafter contract to employ any person in a position which requires him to distinguish form or color signals, unless such person, within two years next preceding, has been examined for color blindness, by Holingren's or other approved test, and other defective sight, by some competent oculist or other person employed and paid by the railroad company, and has received a certificate that he is not disqualified for such position by color blindness or other defective sight. Every railroad company shall require such employe to be re-examined at least once within every two years, at the expense of the railroad company; provided, that nothing in this section shall prevent any railroad company from continuing in its employment any employe having defective sight, in all cases when such defective sight can be fully remedied by the use of glasses or by other means satisfactory to the person making such examinations.

Examination of railroad employes for color blindness, and forbidding the employment of persons so affected, except.

SEC. 2. A railroad company shall be liable to a fine of one hundred dollars for each violation of the preceding section. Penalty.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 19, 1885.

[House Bill No. 752.]

AN ACT

Making partial appropriations for the benevolent, penal and reformatory institutions of the state, and for the general assembly, for the last three-quarters of the fiscal year ending November 15, 1885, and the first quarter of the fiscal year ending February 15, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums for the purposes herein named, to wit:

Making partial appropriations for the state benevolent, penal, and reformatory institutions and the general assembly.

Athens Asylum for Insane:

Current expenses, twenty-five thousand dollars (\$25,000).

Officers' salaries, twelve hundred and seventy-five dollars (\$1,275).

Cleveland Asylum for Insane :

Current expenses, twenty-five thousand dollars (\$25,000).
 Officers' salaries, twelve hundred and seventy-five dollars (\$1,275).
 Ordinary repairs, ten hundred dollars (\$1,000).

Columbus Asylum for Insane :

Current expenses, thirty-five thousand dollars (\$35,000).
 Officers' salaries, fourteen hundred and fifty dollars (\$1,450).
 Ordinary repairs, fifteen hundred dollars (\$1,500).

Dayton Asylum for Insane :

Current expenses, twenty thousand dollars (\$20,000).
 Officers' salaries, eleven hundred dollars (\$1,100).
 Ordinary repairs, one thousand dollars (\$1,000).

Longview Asylum for Insane :

Current expenses, ten thousand dollars (\$10,000).

Deaf and Dumb Asylum :

Current expenses, ten thousand dollars (\$10,000).
 Salaries of officers and teachers, fifty-two hundred and fifty dollars (\$5,250).
 Ordinary repairs, nine hundred and fifty dollars (\$950).

Blind Asylum :

Current expenses, eight thousand dollars (\$8,000).
 Salaries of officers and teachers, thirty-four hundred dollars (\$3,400).

Imbecile Asylum :

Current expenses, twenty-five thousand dollars (\$25,000).
 Salaries of officers and teachers, thirty-four hundred dollars (\$3,400).
 Ordinary repairs, one thousand dollars (\$1,000).

Lucas County Insane Asylum :

Care of insane, five thousand two hundred and sixty-five dollars (\$5,265).

Soldiers and Sailors Orphans' Home :

Current expenses, twenty thousand dollars (\$20,000).
 Salaries of officers and teachers, forty-three hundred dollars (\$4,300).
 Ordinary repairs, five hundred dollars (\$500).
 Support of orphans outside, twenty-two hundred dollars (\$2,200).

Adjutant General:

For continuing the preparation for publication of the roster of Ohio soldiers under joint resolution adopted March 15, 1884, two thousand dollars (\$2,000).

Ohio Penitentiary:

Current expenses, twenty-seven thousand dollars (\$27,000).

Salaries of officers, five thousand dollars (\$5,000).

Salaries of guards, sixteen thousand dollars (\$16,000).

Prosecution and transportation of convicts, as per sections 759, 761, and 7334 to 7337, inclusive, of the Revised Statutes, thirty thousand dollars (\$30,000).

Ordinary repairs, two thousand dollars (\$2,000).

Girls' Industrial Home:

Current expenses, seventy-five hundred dollars (\$7,500).

Salaries, thirty-eight hundred dollars (\$3,800).

Ordinary repairs, seven hundred and fifty dollars (\$750).

Reform Farm for Boys:

Current expenses, seven thousand dollars (\$7,000).

Salaries, five thousand dollars (\$5,000).

Ordinary repairs, five hundred dollars (\$500).

[Ohio Exhibit:]

To defray the expenses of the Ohio Exhibit to the Centennial Cotton and Industrial Exposition, held at New Orleans, the sum of twenty-seven thousand and five hundred dollars (\$27,500.00.) Said funds shall not be paid out until an itemized statement of expenditures be made to the auditor of state, supported by vouchers, when practicable, by the commissioners making such expenditure, which statement shall first be approved by the governor and secretary of state.

The moneys hereinbefore appropriated shall not in any way be expended to pay liabilities or deficiencies existing prior to February 15, 1885, nor be used for any other purpose than the specific purpose for which the same is appropriated, and the same shall be drawn only on a requisition on the auditor of state, approved by the head of each department, which shall set forth the services rendered, or the materials furnished.

[Hocking Valley Riots:]

Fourteen thousand five hundred and thirty-one dollars and thirteen cents (\$14,531.13) to pay all legal claims now on file in the adjutant general's office, to aid civil authority in suppressing riots in Hocking valley, the said claims shall be paid according to law.

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes while the gen-

eral assembly is in session, and the payment of the clerks of the house and senate after adjournment, as provided in sections 39, 43 and 45 of the Revised Statutes, fifty thousand dollars (\$50,000).

Senate contingent expenses, four hundred dollars (\$400).

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 26, 1885.

[House Bill No. 749.]

[CLEVELAND.]

AN ACT

To authorize any city of the first class and second grade to issue bonds for purposes specified therein.

City of
Cleveland
authorized
to issue
bonds to pay
expenses of
police, cur-
rent ex-
penses, etc.

Maturity of
said bonds
and interest
thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the first class and second grade is hereby authorized to issue bonds for a loan of ninety thousand dollars to aid in defraying the current expenses of the police department of said city for the year 1885; and for a loan of fifty thousand dollars to aid in defraying the current expenses lawfully payable from the general fund of said city for the year 1885; and for a loan of twenty thousand dollars to be used first to pay any debt of said city due to Cuyahoga county on account of the work-house and house of refuge and correction in said city, now due and unpaid, and the balance to be placed to the credit of said institution for its general purposes; and for a loan of forty thousand (dollars) for the purpose of enlarging the insane department of the city infirmary of said city.

SEC. 2. That said bonds shall be issued to mature at such times, not exceeding ten years from date of issue, as the city council may determine, and bear interest at a rate not exceeding six per cent. per annum.

SEC. 3. This act shall be in force from its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 20, 1885.

[House Bill No. 611.]

[CINCINNATI.]

AN ACT

To amend section three of an act entitled "an act to provide for the construction of trunk sewers in cities of the first grade of the first class," passed April 18, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That said section three be amended so as to read as follows:

Section 3. No owner of property abutting on the line of any of said sewers shall be permitted to tap or use the same in any manner for the drainage of private property, until he shall have fully paid the assessment levied on all of his property to pay the cost of constructing such sewer, and complied with such other rules and regulations as may be provided by the common council or board of public works as to the tapping of sewers in such city. And said board last named is hereby authorized and required to assess all lands abutting upon any such trunk sewer, when the same is located in any public street or other public highway, to the same extent and in the same manner that the laws now provide for the assessment of the cost of the construction of sewers upon property abutting upon or benefited thereby, except that such assessments may or may not be levied by districts, as said board, in its discretion, may determine.

SEC. 2. That said section three be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 20, 1885.

Cincinnati;
property
owner not to
tap sewer
until assess-
ment paid.

All abutting
lands to be
assessed,
when.

Repeal.

[House Bill No. 739.]

AN ACT

To amend section 4860 of the Revised Statutes of Ohio, and section 4480 of said statutes as amended April 20, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4860 of the Revised Statutes of Ohio, and section 4480 of said statutes as amended April 20, 1881, be amended so as to read as follows:

Section 4480. When the commissioners make an assessment they shall cause an entry to be made, directing the auditor to make and furnish to the treasurer of the county a special duplicate with the assessment arranged thereon, as required by their order, and the auditor shall retain a copy thereof in his office, and all assessments shall be collected and accounted for by the treas-

Assessments
for county
ditches, how
collected.

Issue of
bonds to the
amount of
delin-
quencies.

urer as taxes; provided, that in cases when the assessments remain unpaid for one year after the same is placed upon the special duplicate, then, and in that case, to-wit, unless otherwise ordered by the county commissioners, the same shall be placed on the general duplicate for collection, together with a penalty of not less than six per cent. annually as county ditch taxes, and the amount of delinquent tax thus placed on the general duplicate shall be charged respectively to the several ditches on account of which such assessments have been made as a transfer from the county ditch fund. And the commissioners are hereby authorized to issue county ditch bonds not exceeding the amount of such delinquencies, after each semi-annual settlement between the auditor and treasurer for a term of years not exceeding three, at a rate of interest not exceeding six per cent., payable semi-annually, and for the payment of which, both principal and interest, the faith of the county shall be pledged; and the money arising from the sale of such bonds shall be charged to the county ditch fund, and the commissioners, in their annual report to the court of common pleas, shall fully set forth the amount of tax transferred and bonds sold, as provided in this section.

Assessments
for two mile
assessment
pikes, how
enforced.

Section 4860. When an assessment, made upon any real estate by virtue of proceedings had under this chapter, remains unpaid for the period of one year after the same is placed upon the special duplicate, the auditor of the county in which such real estate is situate, shall, unless otherwise ordered by the county commissioners, place the same upon the general duplicate for collection, together with a penalty of six per cent. per annum as county improved road taxes, and the amount of delinquent tax thus placed on the general duplicate shall be charged, respectively, to the several improved roads on account of which such assessments have been made as a transfer from the county improved road fund. And the commissioners of the county are hereby authorized to issue county improved road bonds not exceeding the amount of such delinquencies after each semi-annual settlement between the auditor and treasurer for a term of years, not exceeding three, at a rate of interest not exceeding six per cent., payable semi-annually, and for the payment of which, both the principal and interest, the faith of the county shall be pledged, and the money arising from the sale of the same shall be charged to the county improved road fund; and the commissioners, in their annual report to the court of common pleas, shall fully set forth the amount of tax transferred and bonds sold as provided in this section.

Issue of
bonds to the
amount of
delin-
quencies.

Repeal.

SEC. 2. Said original sections 4860 and 4480, as amended April 20, 1881, be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 23, 1885.

[Senate Bill No. 345.]

AN ACT

To amend section 1 of an act entitled "an act to provide for the computation and payment of certain military claims, and making an appropriation therefor," passed April 12, 1884. (O. L., v. 81, p. 147.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of the above recited act be so amended as to read as follows :

Section 1. That the auditor of state and attorney-general shall constitute a committee for the purpose of examining, adjusting, and allowing such claims as shall be presented to them on or before December 30, 1886, and which shall, in the opinion of said committee, be just and proper, growing out of military transactions, and are of the same nature as were provided for by act of the general assembly of the state of Ohio, passed April 6, 1866, and acts amendatory thereof and supplementary thereto, and which have not been adjusted by the board of commissioners therein constituted; and such claims as may be adjusted and allowed shall be paid in the order of their presentation and allowance.

Committee for adjustment and allowance of military claims; payment thereof.

SEC. 2. That said original section be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[Senate Bill No. 352.]

AN ACT

To amend an act entitled "an act to amend sections 3686 and 3687 of the Revised Statutes of Ohio," passed April 14, 1884. (O. L., vol. 81, p. 185.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections three thousand six hundred and eighty-six and three thousand six hundred and eighty-seven [of the Revised Statutes] be amended so as to read as follows :

Section 3686. Any number of persons of lawful age, residents of this state, not less than ten in number, may associate themselves together for the purpose of insuring each other against loss by fire and lightning, cyclones, tornadoes, or wind storms; and any number of persons, not less than five, may associate in like manner to insure themselves against loss from death of domestic animals, and may make, assess and collect upon and from each other, such sums of money, from time to time, as may be necessary to pay losses which occur by fire and lightning, cyclones,

Mutual associations authorized for insurance against fire, lightning, cyclones, death of domestic animals, etc.

tornadoes, or windstorms, or death of domestic animals, to any member of such association, and the assessment and collection of such sums of money shall be regulated by the constitution and by-laws of the association.

Certificate
of organiza-
tion.

Section 3687. Such persons shall make and subscribe a certificate setting forth therein:

First.—The name by which the association shall be known.

Second.—The place which shall be regarded as its center or business office.

Third.—The object of the association, which shall only be to enable its members to insure each other against loss by fire and lightning, cyclones, tornadoes, or wind storms, or death of domestic animals, and other casualties, and to enforce any contract which may be by them entered into, by which those entering therein shall agree to be assessed specifically for incidental purposes and for the payment of losses which occur to its members.

Repeal.

SEC. 2. That said original sections 3686 and 3687 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[Senate Bill No. 374.]

AN ACT

To amend section 4651 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4651 of the Revised Statutes of Ohio be amended so as to read as follows:

Report and
payment of
damages
accruing
from open-
ing of county
roads.

Section 4651. The viewers shall, at the time they make their report of the view, also make a separate report, in writing, stating the amount of damage[s], if any, and to whom by them assessed, which would accrue by the opening of the road; and they shall also file the written application[s] on which such assessments have been made, with the county auditor, and the commissioners shall cause such report to be publicly read on the third day of the session at which it was received, and if no petition for review or alteration has been presented and received, and they shall be satisfied that the amount so assessed and determined is just and equitable, and that the road will be of sufficient importance to the public to cause the damages which have been assessed to be paid by the county, they shall order the same to be paid to the applicants from the county treasury; but if in their opinion the road is not of sufficient importance to the public to cause the same to be paid by the county, they may refuse to

establish the same a public highway unless the damages which have been assessed are paid by the petitioners; or they may, in their discretion, order a portion of such damages to be paid out of the county treasury, and require the petitioners to pay the remainder thereof before such roads are opened; but if application by petition shall have been made for review or alteration, then no further proceedings shall be had on the report till the final determination of the commissioners on such application.

SEC. 2. Said original section 4651 is hereby repealed.

Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 704.]

AN ACT

To amend section 314 of the Revised Statutes, as amended April 15, 1882. (O. L. v. 79, p. 98.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three hundred and fourteen of the Revised Statutes, as amended April 15, 1882, be so amended as to read as follows:

Section 314. He shall provide the materials, implements, machinery and fixtures necessary for the binding department, and have control of the same; superintend the arrangement thereof, subject, however, to the concurrence of the trustees as to the space occupied; and he shall have the exclusive direction and management of the practical operation thereof in printing and binding as a branch of the public service; but he shall so manage the business as to afford access and all proper facilities to the teachers in the discharge of their duties; and he shall keep detailed accounts of all materials, machinery, tools, and fixtures purchased, and the cost thereof, and all work done and materials consumed therefor; and also cause to be made bills in duplicate of all items of property so purchased, one of which he shall file in the office of the secretary of state, with the papers of the commissioners of public printing, and the other he shall certify as a voucher in behalf of the party from whom such purchase was made; provided, that no purchase of any such materials, implements, machinery or fixtures, or contract therefor, shall be made, except after the same shall have been submitted to and approved by the commissioners of public printing, and all vouchers for payment therefor shall be certified by the supervisor and approved by said commissioners before payment thereof.

Supervisor of printing: shall provide materials, etc., and have control of public printing and binding; accounts, bills and vouchers.

Repeal.

SEC. 2. Said original section three hundred and fourteen, as amended April 15, 1882, be and the same is hereby repealed; and this act shall take effect and be in force on and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 26, 1885.

[Substitute for House Bill No. 859.]

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

Appropriations to meet deficiencies and pay liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money for the purposes herein named, to-wit:

To pay expenses for J. A. McGahan's funeral, ninety dollars (\$90.00).

Mine Inspector :

For contingent fund, district inspectors, five hundred and fifty dollars (\$550).

For lawyers' fees, one hundred and thirty-two dollars and forty cents (\$132.40).

State House and Grounds :

For heating apparatus, four hundred and fifty-four dollars and ten cents (\$454.10).

For Osborne & Company, felt for covering doors, twenty-five dollars and sixty cents (\$25.60).

To pay Andrew Schwartz, one hundred and twenty-one dollars and twenty-five cents (\$121.25).

To pay Halbourne (Kilbourne) & Jones, twenty-four dollars and fifty-five cents (\$24.55).

To pay Kaiser & Bro., one hundred and thirty-six dollars and seventeen cents (\$136.17).

To pay J. M. & W. Westwater, eighteen dollars and forty-five cents (\$18.45).

For plumbing, by A. Schwartz, one hundred and twenty-four dollars and seventy cents (\$124.70).

For regular labor, one day, four dollars (\$4.00).

For extra labor, forty-four dollars (\$44.00).

Adjutant-General's Department:

For overcoats for O. N. G. (Hocking Valley), ten dollars and twenty-seven cents (\$10.27).

For care military stores and freight on arms, sixteen dollars and thirteen cents (\$16.13).

For pay per diem O. N. G. while in camp, twelve thousand five hundred and fifty-six dollars and fifteen cents (\$12,556.15).

For transportation O. N. G. to and from camp, ten thousand one hundred and eight dollars and sixteen cents (\$10,108.16).

Deficiency for 1882, seven hundred and eighteen dollars and sixty cents (\$718.60).

Deficiency for 1883, one hundred and thirty-five dollars and fifty-eight cents (\$135.58).

For contingent expenses and inspection, one hundred and sixteen dollars and fifty-three cents (\$116.53).

Attorney-General:

For payment of salary, eight dollars and thirty-nine cents (\$8.39).

For contingent expenses, twenty-five dollars (\$25.00)

For cost of suit to quiet title to Soldiers and Sailors Orphans' Home, sixty-five dollars and twelve cents (\$65.12).

Electoral College:

For expenses, etc., five hundred and fifty-six dollars and eighty-five cents (\$556.85).

House of Representatives:

For repairing committee-rooms for house of representatives, by Jacob Goetz, three hundred and seventeen dollars and thirty-four cents (\$317.34).

For material for the same by Braun & Bruck, ninety-nine dollars and sixteen cents (\$99.16).

For Kershaw & Krauss, carpets, one hundred and ninety-five dollars and twenty-five cents (\$195.25).

For four tables, by Ohio penitentiary, one hundred and seventy-five dollars (\$175).

For gas fixtures, by J. M. and W. Westwater, one hundred and thirty eight dollars and forty-five cents (\$138.45).

For furniture, by Halm & Bellows, eighteen dollars (\$18).

For balance due F. Blankner for services 1884, seven dollars and fifty cents (\$7.50).

Said items to be paid upon the warrant of the speaker.

State Inspector of Shops and Factories:

For contingent expenses, one hundred and eighteen dollars and fifty-five cents (\$118.55).

Insurance Department:

For extra clerk, two hundred and fifty dollars (\$250).

For printing press, ninety dollars (\$90).

Ohio Penitentiary :

For current expenses, thirty-four thousand six hundred and ninety-nine dollars and twenty-nine cents (\$34,699.29).

For salaries of guards, eight thousand five hundred and fifty-four dollars and sixty-four cents (\$8,554.64).

For salaries of officers, four thousand six hundred and sixty-four dollars and fifty-eight cents (\$4,664.58).

For rewards to convicts, six hundred and twenty-nine dollars and ninety-eight cents (\$629.98).

For repairs, two thousand one hundred and ninety-seven dollars and thirty cents (\$2,197.30).

For carpets, forty-four dollars and seventy-four cents (\$44.74).

For prosecution and transportation of convicts, sixteen thousand six hundred and eighty-seven dollars and twenty-nine cents (\$16,687.29).

Auditor of State's Department :

For carpet, seventy-four dollars and eighty-seven cents (\$74.87).

School Commissioner's Department :

For contingent expenses, sixty-eight dollars and fifty cents (\$68.50).

Executive Department :

For contingent expenses, one hundred and forty-two dollars (\$142.00).

Secretary of State's Office :

Printing paper, two thousand eight hundred and sixty-eight dollars and thirty-nine cents (\$2,868.39).

Supervisor of Public Printing :

State printing, three thousand six hundred and seventy-one dollars and twenty-six cents (\$3,671.26).

Athens Asylum for Insane :

For ordinary repairs, eight hundred and eighty-three dollars and fifty-two cents (\$883.52).

Columbus Asylum for Insane :

For current expenses, three thousand four hundred and seventeen dollars (\$3,417).

For ordinary repairs, five thousand three hundred and thirty-two dollars and fourteen cents (\$5,332.14).

Deaf and Dumb Asylum :

For trustees' expenses, ten dollars and twenty-four cents (\$10.24).

For verandas, seven hundred and eighty-two dollars (\$782.00).

Supreme Court Commission :

For messenger of supreme court commission, two hundred dollars (\$200.00).

For crier of supreme court commission, two hundred dollars (\$200.00).

Public Works :

For repairs, building, labor, etc., thirty-nine thousand five hundred and twenty-three dollars and thirty-two cents (\$39,523.32).

L. J. Critchfield, balance of attorney's fees, one hundred and ninety dollars (\$190.00).

Asylum for the Blind :

For current expenses, thirteen hundred and nineteen dollars and two cents (\$1,319.02).

Trustees' expenses, three hundred and thirty-two dollars (\$332).

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 899.]

AN ACT

To authorize the city of Cincinnati to issue bonds for the purposes therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works of any city of the first grade of the first class, be and is hereby authorized to borrow in behalf thereof, any sum not exceeding two hundred and thirty-six thousand dollars, to pay deficiencies existing, and that may exist in the police fund of said city for the years 1884 and 1885. Said money shall be paid into the police fund of said city, and shall be expended according to law.

SEC. 2. For the payment of said loan, the board of public works shall issue the bonds of said city signed by the president of said board and countersigned by the comptroller of said city, in a sum not exceeding two hundred and thirty-six thousand dollars, bearing interest at not more than four per cent. per annum, payable in not less than ten and not more than thirty years at the

Cincinnati board of public works authorized to borrow money to pay deficiencies in police fund.

May issue bonds.

option of said board of public works, said bonds to be of such denomination as said board may direct, and shall be sold at not less than par, and said sale shall be according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 11, 1885.

[House Bill No. 753.]

AN ACT

To amend section 1707 of the Revised Statutes of Ohio, and supplementary thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1707 of the Revised Statutes be amended and supplemented with sectional numbering as follows, and so as to read as follows:

Officers; city
of Hamilton.

Section 1707a. The officers of cities of the second class and third grade having a population, at the last federal census, of twelve thousand one hundred and thirty-two, and when said cities already have an organized police, shall consist of a mayor, a city commissioner, who shall be superintendent of streets and highways, and a treasurer, except as otherwise provided for by law; all of which officers shall be chosen by the electors of said cities; and a solicitor, who shall be chosen by the electors of such cities, and a clerk, who shall be chosen by the council of such cities, a chief of police who shall be appointed by the mayor subject to the approval and confirmation of the council of such cities, whose term of office shall be for one year and shall commence on or before the first Tuesday of April, and the council may, when in its opinion it deems it expedient, create, by ordinance, the office of auditor, sealer of weights and measures, fire engineer, civil engineer, superintendent of markets, and provide for their election and compensation; provided, that all duties heretofore imposed upon the marshal by law or ordinance, shall devolve upon and be performed by said chief of police, who shall be subject to the provisions contained in section 2008 of the Revised Statutes, and whose salary or compensation shall be fixed by the council.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[House Bill No. 982.]

AN ACT

To pay workmen for cleaning the filth out of the basement of the capitol.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be, and is hereby appropriated out of the general revenue fund, not otherwise appropriated, the sum of \$961.30 to pay the workmen and the expense incurred in removing the filth from the air chambers in the basement of the capitol, as per claims on file in the adjutant-general's office.

Appropriation to pay expenses of cleaning out basement of capitol.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 17, 1885.

[House Bill No. 526.]

AN ACT

To amend sections 659 and 660 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections six hundred and fifty-nine and six hundred and sixty of the Revised Statutes of Ohio, be so amended as to read as follows:

Section 659. The institution for the education of the deaf and dumb, shall be open to receive such deaf mutes, residents of the state, as the trustees and superintendent judge, from reliable information and examination, to be suitable persons to receive instruction, according to the methods therein employed; but no person shall be received under eight years of age, or remain therein longer than (10) ten years; and no person shall be received who is addicted to immoral habits, or has any contagious or offensive disease.

Admission of pupils to institution for the deaf and dumb.

Section 660. Pupils admitted into the institution, may be permitted to remain such a portion of seven (7) years, as their progress seems to justify. But if at the end of said time their proficiency be not such as qualifies them to enter the grammar department of said institution, they shall then be graduated, as pupils of the primary department; but such pupils as give satisfactory evidence of marked ability, and justify the expectation that they may become useful teachers, or occupy other responsible positions in life, and, upon examination at or before the expiration of seven (7) years from their admission, show a sufficient proficiency to enter the said grammar department, may remain three years in addition to the time herein specified.

How long pupils may remain.

Repeal.

SEC. 2. That said original sections 659 and 660 be, and the same are hereby repealed ; and this act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 24, 1885.

[Senate Bill No. 411.]

AN ACT

To amend section 448 of the Revised Statutes of Ohio, as amended February 7, 1885 (82, v. 16).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 448 of the Revised Statutes, as amended February 7, 1885 (82 v., 16), be so amended as to read as follows:

Order of
cases on the
docket in
the circuit
court; order
of their dis-
position.

Sec. 448. All cases brought in or taken to the circuit court shall be entered on the docket in the order in which they are commenced, received or filed, and they shall be taken up and disposed of in the same order, unless for good cause shown the court otherwise direct; but cases where persons seeking relief are imprisoned or have been convicted of a felony; cases involving the validity of any tax levied, or assessment made, or the power to make such levy or assessment; cases involving the construction or constitutionality of a statute, or any question of practice, where the questions arising are of general public interest; and proceedings in quo warranto, mandamus, habeas corpus, or procedendo, may be taken up in advance of their assignment or order on the docket; and when a case is dismissed or otherwise disposed of and again comes into court, it shall be taken up as if it had retained its original place on the docket. [81 v. 168, § 452a.]

Repeal.

SEC. 2. That section 448 as amended February 7, 1885 (82 v. 16), is hereby repealed.

SEC. 3. This act shall take effect on its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[Senate Bill No. 376.]

AN ACT

To authorize any city of the third grade of the first class to issue bonds to provide means to pay expenses of police department for [the] year 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That to provide means to pay the expenses of its police department in the year 1885, any city of the third grade of the first class is hereby authorized to issue the bonds thereof, in the aggregate not to exceed thirty-five thousand dollars (\$35,000), payable at such times as the common council of such city may determine, but not to exceed three years from the date of the issue thereof; said bonds to bear a rate of interest not exceeding five per cent. per annum, payable semi-annually, and not to be sold for less than par and the accrued interest thereon, and the avails of such bonds shall be credited to the police fund of such city.

Toledo authorized to issue bonds to pay expenses of police.

SEC. 2. For the purpose of providing for the payment of such bonds, when they mature, and the interest thereon as it shall become due and payable, the common council of such city is authorized and required each year, in making its annual levy of taxes, to make a specific levy of a tax upon all the taxable property within such city, for a period not to exceed three years, sufficient to provide means to pay the bonds and interest to mature the year following the one in which such levy shall be made, and the collections from such levies, when made, shall be credited to a special "police bond" fund, and alone used for payment of such bonds and interest; and all interest matured before such collections shall be paid out of the police fund of such city.

Tax levy for police bond sinking fund.

SEC. 3. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1885.

[Senate Bill No. 355.]

AN ACT

To amend section 63 of the Revised Statutes of Ohio, as amended April 19, 1881, as amended April 11, 1883, (80 v. p. 107.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-three of the above recited act be so amended as to read as follows:

Section 63. There shall be printed, in pamphlet form, the number hereinafter stated of each of the annual reports of the following officers and boards:

Auditor of state, including detailed statement of receipts and disbursements: For the auditor, nine hundred copies; for the general assembly, fifteen hundred copies.

Reports of state officers, boards, institutions, etc.; number to be printed.

Secretary of state, including statistics: For the secretary, five thousand copies; for the general assembly, sixteen thousand nine hundred copies. Said report of the secretary of state to be bound in muslin in the usual manner. Said report shall also be printed in the German language, and to determine the number of copies to be printed in German, it shall be the duty of the secretary of state to ascertain from each member of the general assembly what number of copies, he is entitled to receive, he wishes in the German language, and the aggregate number so determined shall be printed in German, and distributed to members of the legislature accordingly.

Treasurer of state: For the treasurer, three hundred copies; for the general assembly, six hundred copies.

Sinking fund commissioners: For the commissioners, two hundred copies; for the general assembly, six hundred copies.

Attorney-general: For the attorney-general, two hundred copies; for the general assembly, six hundred copies.

Commissioner of common schools: For the commissioner, eighteen thousand copies; for the general assembly, six hundred copies; for the boards of county school examiners, four thousand copies, to be distributed among the teachers. Said reports of the commissioner of common schools to be bound in muslin in the usual manner.

Commissioners of the state library: For the commissioners, five hundred copies; for the general assembly, six hundred copies.

Supervisor of public printing: For the supervisor, two hundred copies; for the general assembly, six hundred copies.

Commissioner of railroads and telegraphs: For the commissioner, one thousand copies; for the general assembly, one thousand copies. Each copy to contain a correct map of the state; railroad maps mounted on paste-board, one thousand, for distribution by the members of the general assembly.

Commissioners of fisheries: For the commissioners, five hundred copies; for the general assembly, five hundred copies.

State supervisor of oils: For the supervisor, five hundred copies; for the general assembly, five hundred copies.

Adjutant-general: For the adjutant-general, nine hundred copies; for the general assembly, six hundred copies.

Board of public works: For the board, three hundred copies; for the general assembly, six hundred copies.

Warden and directors of the penitentiary: For the warden and directors, one thousand copies; for the general assembly, one thousand copies.

Institution for the education of the deaf and dumb: For the institution, one thousand copies; for the general assembly, one thousand copies.

Institution for the education of the blind: For the institution, one thousand copies; for the general assembly, one thousand copies.

Columbus asylum for the insane: For the superintendent, eight hundred copies; for the general assembly, eight hundred copies.

Athens asylum for the insane: For the superintendent, eight hundred copies; for the general assembly, eight hundred copies.

Dayton asylum for the insane: For the superintendent, eight hundred copies; for the general assembly, eight hundred copies.

Cleveland asylum for the insane: For the superintendent, eight hundred copies; for the general assembly, eight hundred copies.

Longview asylum for the insane: For the superintendent, eight hundred copies; for the general assembly, eight hundred copies.

Commissioners and superintendent of reform farm school: For the commissioners and superintendent, one thousand copies; for the general assembly, fifteen hundred copies. •

Institution for idiotic and imbecile youth: For the institution, fifteen hundred copies; for the general assembly, one thousand copies.

Girls' industrial home: For the superintendent, five hundred copies; for the general assembly, six hundred copies.

Board of state charities: For the board, two thousand copies; for the general assembly, one thousand copies.

Soldiers and sailors orphans' home: For the board of trustees, one thousand copies; for the general assembly, one thousand copies.

Ohio state university: For the trustees and officers, five thousand copies; for the general assembly, one thousand copies.

Inspector of mines: For the inspector, fifteen hundred copies; for the general assembly, three thousand copies.

Commissioner of labor statistics: For the commissioner, twenty-four hundred copies; for the general assembly, four thousand copies. Said report shall also be printed in the German language, and the number of copies so to be printed, shall be determined in the same manner as is provided in regard to the secretary of state's report.

Superintendent of insurance: For the superintendent, twenty-five hundred copies of each of his reports, of which five hundred volumes, containing both reports, shall be bound in cloth; for the general assembly, three hundred copies of each of his reports; of each of the aforementioned reports, one hundred copies in addition for the state library.

Meteorological bureau: For the board of directors, one thousand copies; for the general assembly, one thousand copies; for the state library, one hundred copies.

Inspector of shops: For the inspector, eight thousand copies; for the general assembly, two thousand copies; two thousand copies of the eight thousand copies to be printed in the German language.

State board of agriculture: Twenty-four thousand copies shall be printed in type and execution to conform to the report of said board for 1880, five thousand copies to be subject to the state board of agriculture for exchange and foreign distribution. Fifteen thousand of said reports the secretary of state shall apportion among the member of the general assembly, and four hundred copies shall be distributed by the secretary of state. The number of German reports for each member shall be determined by a list

to be furnished to the secretary of state by the committee on agriculture in each house, on which list shall be stated the names of members desiring German copies, and number of copies so desired. Said numbers shall be boxed and directed to the members in care of the county auditors of the counties where they respectively reside. The county auditors shall notify the respective members within ten days after the receipt of said reports; and if not removed by the person to whom directed, or on his written order, within thirty days, then said auditor shall deliver said reports to the secretary of the county agricultural society for distribution. The charges for transportation of these reports shall be paid in the same manner as may be provided by law for the distribution of laws and journals; provided, that said English copies shall be printed and delivered to the state binder not later than the fifteenth day of September of each year, and said German copies not later than the first day of October of each year.

Repeal.

SEC. 2. That section 63 of the above recited act, as amended April 19, 1881, as amended April 11, 1883, be and the same is hereby repealed; and this act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 736.]

AN AOT

To authorize the election of one additional judge of the court of common pleas in the first sub-division of the second judicial district of Ohio, and to repeal sections 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522 of the Revised Statutes, known as "an act to establish the superior court of Montgomery county."

Authorizing
an addition-
al common
pleas judge
in first sub-
division, se-
cond dis-
trict.

Election and
term of said
judge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, (two-thirds of the members elected to each branch thereof concurring), That there shall be one additional judge of the court of common pleas in and for the second judicial district of Ohio, who shall reside in the first sub-division thereof, and who shall be elected by the qualified electors of the counties of Montgomery, Butler, Darke and Preble, comprising said first sub-division.

SEC. 2. The first election for said additional judge shall be held pursuant to the general election laws of the state of Ohio, governing the election of judges of the court of common pleas, at the general election for state and county officers on the second Tuesday of October, A.D. 1885. And the term of office shall commence on the first day of July, A.D. 1886, and shall continue for five years; and his successor shall be elected on the second

Tuesday of October, A.D. 1890, and every five years thereafter in like manner.

SEC. 3. That said judge, when elected and qualified, shall receive the same compensation out of the state treasury as other judges of said court; but said judge, if a resident of Montgomery county, and all other judges of said court of common pleas who may hereafter be residents of said county at the time of their election, and who shall afterwards continue to reside therein, in addition to the salary now paid judges of the court of common pleas out of the state treasury, shall receive out of the treasury of said Montgomery county a sum not exceeding one thousand dollars annually, to be paid at the same time and in like manner as is provided by law for the payment of the salaries of judges out of the state treasury.

His salary.

SEC. 4. Said judge shall have all the powers, and be subject to all the obligations, and shall perform all the duties pertaining to said office of judge of the common pleas court; and, should a vacancy occur at any time in the office of said additional judge by death, resignation, or otherwise, such vacancy shall be filled as in case of vacancies in the office of the other judges of said court.

His powers and duties; vacancies how provided for.

SEC. 5. That sections 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521 and 522 of the Revised Statutes, known as "an act to establish the superior court of Montgomery county," passed March 29, 1856, and an act to amend section nine of the act entitled "an act to establish the superior court of Montgomery county," passed March 27, 1875 (O. L. vol. 72, p. 90), be and the same are hereby repealed; the repeal to take effect on the first day of July, A.D., 1886.

Superior court of Montgomery county abolished.

SEC. 6. That on and after the said first day of July, A.D. 1886, all the causes and business then pending in said superior court shall be transferred to, and proceeded with, in the court of common pleas in and for said county of Montgomery in the same manner as if originally commenced therein; and all judgments, decrees and orders of said superior court, notwithstanding said repeal, shall have the same force and effect in law as if the same had been rendered, ordered, adjudged, and decreed in said court of common pleas; and all remedies necessary to carry out all such orders, judgments, and decrees shall be allowed by said court of common pleas, and be enforced therein in the same manner as if they had been originally made and ordered by said court; provided, nothing herein contained shall be construed as requiring a re-entry of the causes in said superior court, in the appearance docket of said common pleas court; but the appearance docket of said superior court, and all the other records thereof kept pursuant to law, shall be used in completing and preserving the records of the causes and matters so transferred.

Cases, judgments, etc., pending in said court July 1st, 1886.

SEC. 7. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 19, 1885.

[Senate Bill No. 314]

AN ACT

To amend section 3987 of the Revised Statutes.

School-
houses: who
shall pro-
vide, man-
age, control,
etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3987 of the Revised Statutes of Ohio be amended so as to read as follows:

Section 3987. The board of education of any district is empowered to build, enlarge, repair and furnish the necessary school-houses, purchase, or lease sites therefor, or rent suitable school-rooms, and make all other necessary provisions for the schools, under its control; directors of sub-districts shall, under such rules and regulations as the township board of education may prescribe, provide fuel for schools, build, enlarge, repair and furnish school-houses, purchase or lease sites therefor, rent school-houses, build and keep in good repair all fences enclosing such school houses, and make all other provisions necessary for the convenience and prosperity of the schools within their sub-districts, and the township board shall be held responsible in its corporate capacity, for all contracts made by such directors, when they are made in accordance with the rules and regulations of the township board, or any resolution thereof.

Repeal.

SEC. 2. That section 3987 is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

L. A. BRUNNÉR,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 19, 1885.

[House Bill No. 800.]

AN ACT

To amend section 2 of an act passed April 9, 1883, entitled "an act to provide for the protection of children," (O. L., v. 80, p. 102,) as amended March 27, 1884, (O. L., v. 81, p. 92).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of the aforesaid act be amended to read as follows:

Separate
mainte-
nance of
children in
county in-
firmaries;
children's
homes.

Section 2. That from and after the passage of this act it shall not be lawful to keep or maintain in any county infirmary in this state, unless separated from the adult paupers therein, any child or children entitled to admission into a children's home, except such as are imbecile, idiotic, or insane; and the board of commissioners of any county in the state, where such home has not already been provided, may make temporary provision for such children by transferring them to the nearest children's home

where they can be received and kept at the expense of the county, or by leasing suitable premises for that purpose, which shall be furnished, provided, and managed in all respects as now provided by law for the support and management of children's homes in the state of Ohio; provided, or the commissioners may provide for the care and support of such children, within their respective counties, in the manner deemed best for the interest of the children; and in any such county, when the levy allowed by law for the poor fund is not sufficient to maintain the children, as hereinbefore provided, the commissioners may levy an additional tax which shall be used for that purpose only; provided further, that in counties where the children are kept in infirmaries as a children's home, but separated from the adult paupers therein, and in counties where there are no children's homes, and the children are cared for as hereinbefore provided, the infirmary directors and superintendent shall perform the same duties, and have the same powers, that are conferred upon trustees and superintendents of children's homes by the following sections of the Revised Statutes: 931, 932, and 933 as amended March 29, 1883, O. L., vol. 80, pages 84 and 85.

SEC. 2. That said section 2 of the above recited act, as amended March 27, 1884, be and the same is hereby repealed; and this act shall take effect from and after its passage. Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 26, 1885.

[House Bill No. 710.]

AN ACT

To amend section 4477 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4477 of the Revised Statutes be so amended as to read as follows:

Section 4477. The work shall be done under the supervision of the surveyor or engineer, and when a part, not less than one-fourth of the portion thereof included in any contract, is completed in accordance with the specifications, he shall give to the contractor a certificate thereof, showing the proportional amount which the contractor is entitled to be paid by the terms of his contract; and the auditor shall, upon the presentation of such certificate to him, draw his warrant on the treasurer for not more than sixty per cent. of the amount, and the treasurer shall pay the same out of any funds in the treasury applicable to such purpose; or if the commissioners have determined to issue bonds for the construction of such work, they may, if the contractor consent, pay in bonds; but proportioned amounts shall not be

County
ditches; su-
pervision of
work and
payment of
contractors.

certified or paid unless the whole job amounts to more than one thousand cubic yards; when the whole contract is completed, the entire price may be paid in the manner aforesaid.

Repeal.

SEC. 2. That original section 447 is hereby repealed, and this act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 27, 1885.

[Senate Bill No. 436.]

AN ACT

Providing for the payment of the clerks, officers, and employes of the House of Representatives and Senate for services from March 1 to March 9, 1885, inclusive.

Providing
for payment
of services of
officers and
employes of
General
Assembly
during
March ad-
journalment.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be paid out of any money in the state treasury, already appropriated, and to the credit of the fund to pay the salaries and mileage of members of the General Assembly, per diem of clerks, sergeants-at-arms, and employes, the following sums, to-wit: For the services of the sergeants-at-arms of the House of Representatives and the Senate, from March 1 to March 9, 1885, both days inclusive, the sum of three hundred and sixty dollars (\$360.00); for the services of the clerks and their assistants of the House of Representatives and Senate, and of the clerk of the judiciary committee of the House of Representatives, from March 1 to March 9, 1885, both days inclusive, the sum of five hundred and eighty-five (\$585.00) dollars; for the services of the porters of the House of Representatives and Senate, from March 1 to March 9, 1885, both days inclusive, the sum of two hundred and eighty-three and fifty one-hundredths dollars (\$283.50); for the services of the pages of the House of Representatives and Senate, from March 1 to March 9, 1885, both days inclusive, the sum of two hundred and ninety-two and fifty one-hundredths dollars (\$292.50).

SEC. 2. That the auditor of state be and is hereby directed to issue his warrants for the above sums upon the treasurer of state, upon presentation of the proper vouchers, signed by the speaker of the House of Representatives or president of the Senate.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 20, 1885.

[Senate Bill No. 381.]

AN ACT

Making an appropriation for the construction of dining rooms and infirmary wards for the Athens asylum for insane, so as to provide for 225 additional patients.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of thirty thousand dollars (\$30,000), for the construction of two buildings at the Athens asylum for the Insane, for use as dining rooms for patients and for infirmary wards, by which provision shall be made for the care of two hundred and twenty-five additional inmates; which money shall be expended by the board of trustees of said asylum, in accordance with the law regulating the construction of public buildings.

Appropriation for buildings at Athens insane asylum.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1885.

[House Bill No. 683.]

AN ACT

To amend section 4447 of the Revised Statutes of Ohio, as amended April 11, 1883, and to repeal section 4486 of the Revised Statutes of Ohio, as amended April 20, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4447 of the Revised Statutes of Ohio be amended so as to read as follows:

Section 4447. The commissioners of any county, at any regular or called session, may, in the manner provided in this chapter, when the same is necessary to drain any lots, lands, public or corporate road or railroad, and will be conducive to public health, convenience, or welfare, cause to be located and constructed, straightened, widened, altered, deepened, boxed, or tiled, any ditch, drain, or water course, or box or tile any portion thereof, or cause the channel of all or any part of any river, creek, or run, within such county, to be improved by straightening, widening, deepening, or changing the same, or by removing from adjacent lands any timber, brush, trees, or other substance liable to form obstruction therein.

Ditches and water courses; county commissioners may construct, improve, etc., when.

SEC. 2. Said original section 4447, as amended April 11, 1883, and section 4486, as amended April 20, 1881, are hereby repealed.

Repeal.

SEC. 3. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1885.

[House Bill No. 980.]

AN ACT

To authorize the council of certain cities to issue bonds for the purpose of erecting a market house.

City of
Springfield
may issue
bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of cities of the second class, in which a majority of the electors, within three years last past have voted in favor of the erection of a market-house in said city, and which, from any cause has not been erected therein, be and it is hereby authorized and empowered to issue bonds of said city, not exceeding one hundred and fifty thousand dollars, in denominations not less than five hundred dollars, payable at any time within forty years from date of their issue, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, at the office of the city treasurer; and shall be issued, advertised and sold according to law, but at not less than their par value.

To erect a
market-
house.

SEC. 2. The proceeds of said bonds, or so much thereof as may be necessary, shall be used for the purpose of the erection of a market-house, containing city offices, public library rooms, and such other office rooms as council may direct; but the proceeds of said bonds shall not be used or applied for any other purpose or purposes whatever, except as herein specified.

Council may
make con-
tracts.

SEC. 3. The bonds herein authorized to be issued, when so issued, shall be held and considered as cash in the city treasury, and said council is authorized and empowered to make and enter into all contracts necessary to the erection and completion of the building herein authorized, the same as if the money was in the treasury, anything in the statute to the contrary notwithstanding.

Question of
issuing
bonds to be
voted on.

SEC. 4. The council shall submit to the electors of said city at the April election, the question of the issuing of said bonds. And if a majority of the electors voting at said election shall vote in favor of the issuing of said bonds, then the council may issue and sell the same, and use the proceeds as herein provided, but not otherwise.

Voting, how
conducted.

SEC. 5. The city council shall prepare separate ballot boxes for each ward and voting precinct to receive the ballots of electors. And the electors desiring to vote for the issuing of said bonds, shall have written or printed on their ballots, "For Market House Bonds—Yes;" and those desiring to vote against the issuing of said bonds, shall have written or printed on their ballots, "Market House Bonds—No." Said votes shall be counted and returned to the proper authorities as required by law governing city elections.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 613.]

AN ACT

To amend section 5167 of the Revised Statutes of Ohio, as amended April 19, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-one hundred and sixty-seven of the Revised Statutes of Ohio, as amended April 19, 1883, be so amended as to read as follows :

Section 5167. The clerk of the court shall, within five days from the receipt of the list, write the names of each person so selected, upon a separate piece of paper, which he shall put into a box, to be provided by him at the expense of the county, and securely kept for the purpose, and shall, at the clerk's office, between the hours of ten o'clock forenoon and twelve o'clock noon, on the fourth Monday previous to the sitting of the court of common pleas, in the presence of the sheriff, by whom the box shall be shaken before the drawing is made, so as to mix the ballots on which the names are written, and in presence of any other citizens who may choose to attend, proceed to draw twenty-seven ballots, and such additional number of ballots, if any, not exceeding eight, as the judge of the court of common pleas in vacation or term time may direct, but if any ballot so drawn shall bear the name of a person who at the time of such drawing is known by the clerk to be deceased or to have become a non-resident of the county, every such ballot shall be destroyed and the same shall not be counted, and the clerk shall continue such drawing until he shall have drawn the required number of ballots, exclusive of those destroyed as aforesaid, the persons named on the first fifteen of which shall be summoned as grand jurors, and those named on the remainder shall be summoned as petit jurors, the first twelve of whom shall constitute the regular petit jury, and in case of challenge, inability to serve, or other cause, it becomes necessary to fill the panel, the whole of the number of persons so summoned as petit jurors shall be first exhausted before resorting to other means to fill the same; and the clerk shall forthwith issue a venire to the sheriff, commanding him to summon the persons whose names are so drawn to attend as jurors, at the seat of justice of the county, on the first day of the next term of the court of common pleas, holden therein, at ten o'clock a.m., unless the judge of the court of common pleas, by order made in vacation or term time, direct on what day of the term the petit jurors shall appear, whereupon the clerk shall issue a venire accordingly.

Drawing and
summoning
of grand and
petit jurors.

SEC. 2. Said section 5167 of the Revised Statutes of Ohio, as amended April 19, 1883, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 691.]

AN ACT

To amend section 2843 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2843 of the Revised Statutes be amended so as to read as follows:

Unlawful to act as agent of or perform services for certain companies when taxes due and unpaid for twenty days; penalties.

Section 2843. If the taxes assessed against any express company, telegraph company, telephone company, or insurance company, in any county in this State, shall remain due and unpaid to the treasurer of such county, for the period of twenty days after the time provided by law for the payment thereof, it shall be unlawful for any person or persons, or corporation, to act as agents, or do or transact any business for such company so in default to such county, until said tax, and interest, and penalty is fully paid; any person, or agent, manager or clerk of any corporation, who shall, after such default, directly or indirectly act as agent of, or do or transact any business whatever on account of or for the benefit of such company so in default, other than the payment of said tax, shall be held to be guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than one hundred nor more than five hundred dollars, or punished by imprisonment in the county jail, and fed on bread and water only, not exceeding thirty days, or both, at the discretion of the court; after such default, made as aforesaid, any railroad company which shall, directly or indirectly, convey or carry for said defaulting express, telegraph, telephone company, or insurance company, any package of money, merchandise, or other articles, or transmit any telegraphic message, after having notice of such default, shall, for every such offense, forfeit and pay a sum equal to the amount of such tax due and unpaid, with the interest and penalty thereon, to be recovered by an action in the name of the state, in the county where such tax is assessed, with costs of suit.

Repeal.

SEC. 2. Section 2843 of the Revised Statutes is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1885.

[House Bill No. 803.]

AN ACT

To amend section 3967 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand nine hundred and sixty-seven [of the Revised Statutes] be so amended as to read as follows:

Section 3967. So much of the contingent fund as may be set apart by a township board for the continuance of schools after the

state funds are exhausted, shall be so apportioned by the board that the schools in all the sub-districts of the township shall be continued the same length of time each year; and if the apportionment be not satisfactory to the directors of any sub-district, or a majority of them, they may give notice thereof, in writing, to the county commissioners, who, at their first regular meeting for the transaction of business, after the receipt of such notice, shall revise the apportionment, and the amount aforesaid shall be apportioned in the manner determined by the commissioners; but neither the township board nor the commissioners shall reapportion any funds which were apportioned among the sub-districts before any preceding annual settlement, and in making an apportionment of funds, the amount set apart for any sub-district shall not be increased or diminished by reason of any deficit or surplus in the funds previously apportioned to such sub-district.

Apportionment of school contingent fund.

SEC. 2. Said original section three thousand nine hundred and sixty-seven is hereby repealed.

Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 884.]

AN ACT

To authorize cities of the first class and of the second grade, to issue bonds and borrow money for the purpose of locating, erecting and furnishing a free hospital in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That city councils of cities of the first class and second grade be and are hereby authorized to borrow the sum of one hundred thousand dollars, to be applied to the payment of the costs and expenses to be incurred in the building, location, and furnishing of a free hospital for the sick in said city.

City of Cleveland authorized to borrow money and issue bonds to build free hospital.

SEC. 2. That, for the purpose aforesaid, the said city council is authorized to issue bonds, to be signed by the mayor of said city, and attested by the clerk of the city council of said city and the city auditor of said city, in sums not less than one hundred dollars and not more than one thousand dollars, the same to bear interest at a rate not exceeding six per cent, payable semi-annually; said bonds to be payable at such time or times, not exceeding twenty years from the respective dates thereof, as said city council may determine, and which said bonds shall not be sold for less than their par value, and accrued interest, and which said bonds may, in the discretion of said city council, have interest coupons attached.

SEC. 3. For the purpose of paying the bonds issued under sections one (1) and two (2) of this act, and the interest thereon as the same shall become due, said city council shall annually, if

Tax levy to pay said bonds.

necessary, levy a tax, in addition to what it is now authorized by law to levy, on all the taxable property in said city, sufficient therefor.

Record of
said bonds.

SEC. 4. The city auditor of said city, shall keep a record of said bonds, showing the number, amount, and date of each, when due, and the rate of interest, and when paid they shall be taken up and canceled, and the fact and date of such payment and cancellation noted on said record.

Question of
issuing said
bonds to be
submitted to
a popular
vote.

SEC. 5. Said bonds shall not be issued nor said tax levied or assessed, until the question shall have been first submitted to the voters of said city, at a general or special election, of which at least ten days' notice shall be given by publication in the newspapers of said city. At said election, all voters desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for hospital purposes—Yes;" and all voters desiring to vote against said issuing of said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for hospital purposes—No." No bonds shall be issued and no taxes levied under this act, unless a majority of the votes cast, in favor of or against said issue and levy, shall be in favor of such issue and levy.

Purchase of
grounds;
construction
and main-
tenance of
hospital.

SEC. 6. In case such election shall result in favor of the issue of such bonds, the council shall pass such ordinances as are authorized by law (sections 2153 to 2166, inclusive), as may be necessary for the purchasing of the grounds and the construction of a hospital thereon, and the government and maintenance of the same.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 900.]

AN ACT

To authorize the city of Cincinnati to issue bonds for the purposes therein specified.

Cincinnati
board of
public works
authorized
to borrow
money to
pay deficien-
cies and to
issue bonds
therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works of any city of the first grade of the first class be and is hereby authorized to borrow, in behalf thereof, any sum not exceeding two hundred thousand dollars, to pay deficiencies existing and that may exist in the infirmity fund of said city for the years 1884 and 1885. Said money shall be paid into the infirmity fund of said city, and shall be expended by the directors of the city infirmity according to law.

SECTION 2. For the payment of said loan, the board of public works shall issue the bonds of said city, signed by the president of said board and countersigned by the comptroller of said city, in a

sum not exceeding two hundred thousand dollars, bearing interest at not more than 4 per centum per annum, payable in not less than ten and not more than thirty years, at the option of said board of public works; said bonds to be of such denomination as said board may direct, and shall be sold at not less than par, and said sale shall be according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 852.]

AN ACT

To authorize any city of the second grade of the first class to issue bonds for a loan to rebuild a bridge (Main street bridge.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the first class is hereby authorized to issue bonds, not exceeding forty thousand dollars in amount, for a loan to provide means to rebuild a bridge over any navigable stream therein.

SEC. 2. That said bonds shall be issued to mature at such time, not exceeding ten years, and bear interest at such rate, not exceeding six per cent. per annum, as the city council of any such city may by ordinance determine, and the proceeds of said bonds, when sold as provided by law, shall be used for the purpose expressed in this act, and the surplus, if any, shall be applied as directed in section 2710 of the Revised Statutes.

SEC. 3. That this act shall be in force from its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

City of
Cleveland
authorized
to issue
bonds to re-
build a
bridge.

[House Bill No. 773.]

AN ACT

Supplemental to section 675 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections shall be supplemental to section 675 of the Revised Statutes of Ohio, and shall be numbered and known as follows:

Board of visitors for the Soldiers and Sailors Orphans' Home; term and expenses of members.

Section 675a. That the governor shall appoint a board of visitors for the Soldiers and Sailors Orphans' Home, which shall consist of five women, whose term of service shall be for five years, except that for the first appointment, one shall be appointed for one year, one for two years, one for three years, one for four years and one for five years, and until their successors are appointed. The members of this board shall receive no compensation for their services, but shall be paid their necessary expenses by the state treasurer, on the warrant of the auditor of state, issued upon the certificate of the president of the board. Any vacancy in the board by resignation or otherwise shall be filled by appointment of the governor.

Officers and duties of the board.

Section 675b. Before entering upon the discharge of their duties, the members of the board shall organize by electing a president and secretary, who shall be of their number; it shall be the duty of the board to visit the home at least twice a year, and oftener if in their judgment necessary, and advise with the board of trustees and board of state charities as to the interests of the home, and make such recommendations in writing as they may deem necessary, addressed to the president of the board of trustees; and a duplicate shall be sent to the president of the board of state charities.

SEC. 2. This act shall take effect on and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 795.]

AN ACT

To amend section 4450 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4450 of the Revised Statutes of Ohio be so amended as to read as follows:

Application for county ditch.

Section 4450. Application for any such improvement shall be made to the commissioners of the county, signed by one or more owners of lots or lands which will be drained or benefited thereby, or shall be made by the street commissioner or supervisor of the road district in which the same is required to be done; and the trustees of any original surveyed township owning land granted

by congress for the support of common schools, or the infirmary directors of any county, may make such application and file the petition and bond provided for in this chapter.

SEC. 2. That section 4450 of the Revised Statutes be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 21, 1885.

[House Bill No. 752.]*

AN ACT

Making partial appropriations for the benevolent, penal and reformatory institutions of the state, and for the general assembly, for the last three-quarters of the fiscal year ending November 15, 1885, and the first quarter of the fiscal year ending February 15, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums for the purposes herein named, to wit:

Athens Asylum for Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
Officers' salaries, twelve hundred and seventy-five dollars (\$1,275).

Cleveland Asylum for Insane:

Current expenses, twenty-five thousand dollars (\$25,000).
Officers' salaries, twelve hundred and seventy-five dollars (\$1,275).
Ordinary repairs, ten hundred dollars (\$1,000).

Columbus Asylum for Insane:

Current expenses, thirty-five thousand dollars (\$35,000).
Officers' salaries, fourteen hundred and fifty dollars (\$1,450).
Ordinary repairs, fifteen hundred dollars (\$1,500).

Dayton Asylum for Insane:

Current expenses, twenty thousand dollars (\$20,000).
Officers' salaries, eleven hundred dollars (\$1,100).
Ordinary repairs, one thousand dollars (\$1,000).

Making partial appropriations for the state benevolent, penal, and reformatory institutions and the general assembly.

* This bill was incorrectly engrossed. It appears printed on page 66 in the form in which it was originally engrossed, enrolled and filed in the office of the Secretary of State. The bill was ordered reengrossed by S. J. R. No. 86, and is here printed as corrected.

Longview Asylum for Insane:

Current expenses, ten thousand dollars (\$10,000).

Deaf and Dumb Asylum:

Current expenses, ten thousand dollars (\$10,000).

Salaries of officers and teachers, fifty-two hundred and fifty dollars (\$5,250).

Ordinary repairs, nine hundred and fifty dollars (\$950).

Blind Asylum:

Current expenses, eight thousand dollars (\$8,000).

Salaries of officers and teachers, thirty-four hundred dollars (\$3,400).

Imbecile Asylum:

Current expenses, twenty-five thousand dollars (\$25,000).

Salaries of officers and teachers, thirty-four hundred dollars (\$3,400).

Ordinary repairs, one thousand dollars (\$1,000).

Lucas County Insane Asylum:

Care of insane, five thousand two hundred and sixty-five dollars (\$5,265).

Soldiers and Sailors Orphans' Home:

Current expenses, twenty thousand dollars (\$20,000).

Salaries of officers and teachers, forty-three hundred dollars (\$4,300).

Ordinary repairs, five hundred dollars (\$500).

Support of orphans outside, twenty-two hundred dollars (\$2,200).

Adjutant General:

For continuing the preparation for publication of the roster of Ohio soldiers under joint resolution adopted March 15, 1884, two thousand dollars (\$2,000).

Ohio Penitentiary:

Current expenses, twenty-seven thousand dollars (\$27,000).

Salaries of officers, five thousand dollars (\$5,000).

Salaries of guards, sixteen thousand dollars (\$16,000).

Prosecution and transportation of convicts, as per sections 759, 761, and 7334 to 7337, inclusive, of the Revised Statutes, thirty thousand dollars (\$30,000).

Ordinary repairs, two thousand dollars (\$2,000).

Girls' Industrial Home:

Current expenses, seventy-five hundred dollars (\$7,500).

Salaries, thirty-eight hundred dollars (\$3,800).

Ordinary repairs, seven hundred and fifty dollars (\$750).

Reform Farm for Boys:

Current expenses, seven thousand dollars (\$7,000).

Salaries, five thousand dollars (\$5,000).

Ordinary repairs, five hundred dollars (\$500).

The moneys hereinbefore appropriated shall not in any way be expended to pay liabilities or deficiencies existing prior to February 15, 1885, nor be used for any other purpose than the specific purpose for which the same is appropriated, and the same shall be drawn only on a requisition on the auditor of state, approved by the head of each department, which shall set forth the services rendered, or the materials furnished.

[Ohio Exhibit:]

To defray the expenses of the Ohio Exhibit to the Centennial Cotton and Industrial Exposition, held at New Orleans, the sum of twenty-seven thousand and five hundred dollars (\$27,500.00.) Said funds shall not be paid out until an itemized statement of expenditures be made to the auditor of state, supported by vouchers, when practicable, by the commissioners making such expenditure, which statement shall first be approved by the governor and secretary of state.

[Hocking Valley Riots:]

Fourteen thousand five hundred and thirty-one dollars and thirteen cents (\$14,531.13) to pay all legal claims now on file in the adjutant general's office, to aid civil authority in suppressing riots in Hocking valley; the said claims shall be paid according to law.

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes while the general assembly is in session, and the payment of the clerks of the house and senate after adjournment, as provided in sections 39, 43 and 45 of the Revised Statutes, fifty thousand dollars (\$50,000).

Senate contingent expenses, four hundred dollars (\$400).

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 26, 1885.

[House Bill No. 921.]

AN ACT

To amend section 476 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and seventy-six of the Revised Statutes of Ohio be so amended as to read as follows :

Official sten-
ographers.

Section 476. Official stenographers, when so appointed, shall be ex-officio the stenographers of the circuit and probate courts of such counties.

Repeal.

SEC. 2. That said original section 476 be and the same is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[Senate Bill No. 312.]

AN ACT

Amending section 4068 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4068 of the Revised Statutes of Ohio be amended so as to read as follows :

Fee for
teacher's ex-
amination.

Section 4068. Each applicant for a certificate shall pay to the board of examiners a fee of five dollars.

Repeal.

SEC. 2. That section 4068 of the Revised Statutes of Ohio be hereby repealed ; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 26, 1885.

[House Bill No. 965.]

AN ACT

To authorize the city of Cincinnati to issue bonds for the purposes therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works of any city of the first grade of the first class be and is hereby authorized to borrow in behalf thereof, any sum not exceeding eighteen thousand dollars, to pay deficiencies existing in the work house fund of said city.

SEC. 2. For the payment of said loan, the board of public works shall issue the bonds of said city, signed by the president of said board and countersigned by the comptroller of said city, in a sum not exceeding eighteen thousand dollars, bearing interest at not more than four per centum per annum, payable in not less than ten and not more than thirty years, at the option of said board of public works. Said bonds to be of such denomination as said board may direct, and shall be sold at not less than par, and said sale shall be according to law.

Cincinnati
may issue
bonds to pay
deficiencies
in work
house fund.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[Senate Bill No. 432.]

AN ACT

To amend sections of sub-division one, chapter five, division five, title twelve of the Revised Statutes of Ohio, and to repeal certain sections therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1870, 1871, 1872, 1873, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, and 1923 of sub-division one, chapter five of the fifth division, title twelve [of the Revised Statutes], as amended by the acts of February 27, 1880, and April 15, 1882, be so amended as to read as follows:

Section 1870. All police powers and duties connected with and incident to the appointment, regulation, and government of a police force in cities of the first grade of the first class, shall be vested in a board of three members, to be appointed by the board of public works of said city, and they shall be called the board of police commissioners; one member for one year, one member for

Cincinnati
board of
police com-
missioners;
appoint-
ment, elec-
tion of suc-
cessors,
term and
salary of.

two years, and one member for three years, and hereafter their successors in office shall, at each annual municipal election, as their respective terms for which they were appointed expire, be elected by the electors of such city to serve for the term of three years, his term to commence on the expiration of the term of the member whom he succeeds. But if any vacancy occur from any cause other than the expiration of a term, the remaining members of the board shall appoint a suitable person to hold the office until the next regular municipal election, when the electors of such city shall elect his successor, to serve for the remainder of the unexpired term. Such commissioners each to receive a salary of fifteen hundred dollars per year.

President and secretary of the board; the latter's bond.

Section 1871. Annually, at the time the member of the board commissioned for a regular term is sworn, the board shall select from its members a president; and an elector of the city, not a member of the board, shall, at the same time, be elected by the board clerk of the police department, who shall act as secretary of the board and of the superintendent of the police; and he shall give bond, to the acceptance of the board, in the sum of five thousand dollars.

Commissioners disqualified to accept other offices; removal; police not to participate in elections, etc.

Section 1872. Any commissioner who, during the term of his office, accepts any other place of public trust or emolument, or who, during the same period, knowingly consents to his nomination for an office, elective by the people, or fails publicly to decline the same within twenty days succeeding his nomination, shall be deemed to have thereby vacated his office; and for official misconduct, any commissioner may be removed by the governor; and no member of the police force shall be a delegate to, or otherwise take part in any primary or other political convention or election, except to cast his vote.

General and special meetings; presiding officer; quorum.

Section 1873. Meetings for the transaction of business shall be held upon some particular day, to be designated by the board, and at such other times as the board may deem necessary, at which meetings the president shall preside; and in his absence or inability to act, the board may designate some other member to act as president during said absence or inability; such acting president during the time shall have all the powers, duties, and responsibilities of the president of said board; and a majority of the board shall constitute a quorum for the transaction of business.

General powers of the board.

Section 1875. The board shall appoint the police force, and possess full power and authority over the police organization, government, and discipline within such city; and shall, moreover, have possession and control of all property, books, records, and equipments belonging to or under the control of the police authorities, and shall have the other powers and perform the other duties specified in this sub-division.

In case of riots, insurrections, etc.

Section 1876. The board is hereby invested with, and shall, when necessary, exercise all the powers which are conferred by law upon mayors of cities and sheriffs of counties, in respect to requiring the services of the military, in aid of the civil authorities, to quell riots, suppress insurrection, protect property, and preserve public tranquillity; and such investiture of power shall exclude, within the city, the exercise of similar powers by the mayor of such city, or sheriff of the county in which the city is situated.

Section 1877. In case of riot or insurrection, or any like emergency within such city, which, in the judgment of the president of the board of police commissioners, requires the intervention of the police force, he shall have power to call out the whole force, and control the same during the emergency, or until the board may have time to convene and take action thereon; and in case of any emergency in such city, which, in the judgment of the board, requires a temporary increase in the members of the police force, the board shall have the power to appoint as many other patrolmen, or officers, as they deem necessary, to serve as long as such emergency exists, not exceeding five days.

Whole force may be called out, when; temporary increase of force.

Section 1878. It shall be the duty of the board and of the force hereby constituted, at all times of the day and night, within the boundaries of the city, to preserve the public peace, prevent crime, arrest offenders, protect rights of persons and property, guard the public health, preserve order, remove nuisances existing in public streets, roads, places, and highways, report all leaks, or other defects in water pipes and sewers to the proper authorities, provide a proper force at every fire, in order that thereby the firemen and property may be protected, protect strangers and travelers at steamboat and ship landings, and railway stations, and generally to obey and enforce all ordinances of the city council, criminal laws of the state and of the United States.

General duties of board and police force.

Section 1879. The police force shall be composed of a superintendent of police, and inspector of police, whose duty it shall be to act under the direction of the superintendent, as his deputy or assistant, and perform such other service as may be required of him by the board or superintendent; so many lieutenants of police as may be necessary, not to exceed twenty; one superintendent of patrol with rank and pay of lieutenant; so many police-court officers and station-house keepers as may be necessary; and so many watchmen or patrolmen as the board may deem proper, not to exceed three hundred, not including mounted police, and one surgeon of police.

Police force, how constituted and officered.

Section 1880. Each member and officer of the police force shall be an elector of the city in which he is appointed, and able to read and write the English language understandingly.

Qualifications of members.

Section 1881. All appointments made shall be during good behavior and the pleasure of the board of police commissioners.

Term of members.

Section 1882. Each officer and member of the police force, private policeman, special policeman, and substitute policeman, before entering upon the discharge of his duties, shall take an oath before one of the police commissioners, all of whom are hereby empowered to administer the same, to well and faithfully discharge the duties of his office; which oath shall be subscribed by the person taking it, and shall be filed and preserved in the office of the police commissioners; the superintendent shall give a bond for the faithful discharge of his duties in the sum of twenty thousand dollars, to be approved by the board and the city solicitor, which shall be filed in the city clerk's office, and thereafter, under the direction and control of the board, he shall have command and control of the police force of such city; and each lieutenant of police shall give bond in the sum of five thousand dollars, and each patrolman in the sum of one thousand dollars, with sureties

Oath and bond of officers and members.

- to the satisfaction of the board and city solicitor, for the faithful discharge of his duties, and for the payment of any damages that may be adjudged against him by any competent tribunal, for the illegal arrest, imprisonment, or injury, by him of any person.
- Filling of vacancies; removals at will of board.** Section 1883. Vacancies occurring in any grade of the police force, except that of the superintendent, clerk or inspector, shall be filled by the board from the next lower grade; but the superintendent, clerk of the police department, and inspector, shall be appointed and removed at the pleasure of the board.
- Reduction of lieutenant to patrolman.** Section 1884. Any lieutenant may, at any time, by the unanimous vote of the board, and without written and specific charges preferred against him, be reduced to the rank of patrolman, and ordered to patrol duty.
- Secret detectives.** Section 1885. The board shall have power to detail members of the regular force to act as secret detectives, who shall be under the control of the board and the superintendent, and such secret detectives may be allowed by the board, as extra compensation, a sum not exceeding one hundred dollars each.
- Substitutes.** Section 1886. The board may appoint a sufficient number of substitutes to fill the vacancies occasioned by the absence of any members of the force, who shall receive compensation only for the time they serve, and the amount of such compensation shall be deducted from the pay of the absent member.
- Grant of special police powers to other city employes.** Section 1887. The board is hereby authorized to appoint persons of suitable character, who may be in the employment of the city in other branches or departments, special patrolmen or policemen, but such special policemen shall not be paid for their services as policemen, either from the police fund, or the city or county treasury, and such policemen shall possess the same power as the regular patrolmen, and shall obey the rules and regulations of the board, and conform to its general discipline.
- Mounted police.** Section 1888. The board shall, upon the passage of an ordinance or resolution, and the making of an appropriation therefor, and in conformity with such resolution or ordinance by the common council of such city, employ and equip mounted policemen, in such manner, for such compensation, and for such districts within the corporate limits of the city, as shall be prescribed by the common council thereof.
- Uniforms and badges.** Section 1889. Every member of the police force, while on duty, shall wear a uniform to be prescribed by the board, and shall, at all times, in public, wear a badge of his office, to be furnished by the board.
- Exemption from jury duty, etc.** Section 1890. No person holding office under this sub-division shall be liable to military or jury duty, or to arrest on civil process, nor to service of subpoenas from civil courts, while actually on duty.
- Duty of board and force in respect to elections.** Section 1891. The board shall detail, on the day of any primary or other election in such city, one or more patrolmen, as it may deem necessary, to each election poll, provide ballot-boxes for use at any and all such elections, and see that the arrangements for voting at such polls are such as to prevent any unavoidable crowding of voters, and that the challengers of all parties have fair and equal room, rights, and privileges, for the discharge of their duties, and that the judges of the election are fully protected

from any and all interference in the counting of the votes in a legal, orderly, open, and public manner, and they shall provide for the custody of the ballot-boxes at all times, except during the taking, receiving, and counting the votes; and such city shall pay the expenses of procuring and taking care of the ballot-boxes.

Section 1892. The fund required for all purposes, in carrying out the provisions of this sub division, shall be annually estimated by the board, and, on or before the first Monday of May, in each year, reported to the city comptroller, who shall record and file the same, and submit it to the committee on finance of the common council, together with an ordinance levying a tax therefor, for the [year] commencing on the first of March thereafter.

Annual estimates for police purposes

Section 1893. The common council is hereby required to levy and cause to be collected such tax in the same manner as other taxes are now or may hereafter be levied and collected in such city; and such funds shall be certified to the treasurer of the city by the comptroller, as the police fund, and shall be held by such treasurer as other city funds, subject only to the order of the police commissioners, as herein provided; and any interest derived from the deposit of such fund shall be credited to the police fund.

Levy and collection of tax for police fund.

Section 1894. For all expenses incurred by the board, such as erecting buildings, rent, repairs, advertising, printing, stationery, postage stamps, telegrams, fuel, lights, feeding prisoners, clubs, whistles, badges and such other incidental expenses as may be necessary to carry out the provisions of this sub-division, subject to the restrictions herein provided, the board shall have power to appropriate money to pay the same, out of the police fund, and thereupon an order, signed by the president and countersigned by the clerk of the board, shall be drawn upon the city comptroller, payable to the person to whom such sum may be due, specifying the purpose for which the appropriation was made, and the city comptroller shall immediately draw his warrant upon the city treasurer payable to the person in whose name the order was drawn, and the treasurer shall pay the same out of the police fund; and the secretary or clerk of the board shall make an itemized statement to the board at the end of each and every month, of the amount so expended and to whom paid.

Incidental expenses of the board.

Section 1895. The officers and members of the police force shall receive such compensation as shall be fixed by the board; provided, that the superintendent of police shall not receive a salary exceeding twenty-five hundred dollars, eight hundred dollars of which sum shall be paid by the county in which such city is situated; the inspector of police shall receive a salary not exceeding fifteen hundred dollars, lieutenants not exceeding nine hundred dollars, police court officers not exceeding eight hundred dollars, patrolmen not exceeding eight hundred dollars, and station-house keepers not exceeding six hundred dollars per annum, each.

Compensation of officers and members of the force.

Section 1896. The compensation of the commissioners and of members of the police force shall be paid semi-monthly; and the clerk of the police department shall, semi-monthly, draw his warrant, attested by the president of the board, countersigned by himself, in favor of each commissioner and member of the police

How paid.

force, for the amount of salary due him, which shall be presented to the city comptroller, who shall thereupon draw his warrant therefor upon the city treasurer, payable to such member, and the treasurer shall pay the same.

Members forbidden to receive fees, gifts, etc., or to interfere in employment of attorneys.

Section 1897. No member of the police force shall, for his own benefit, under any pretense whatever, receive or share in any present, fee, gift or emolument, for public services, other than the regular salary and pay, except by the consent of the board and superintendent, publicly given; nor shall any member share in or receive any fee, gift, or reward from any person who may become bail for any arrested, accused or convicted person, or who may become surety for any such person on error to the judgment or decision of any court or magistrate, or any fee, gift, or reward in any case from an attorney at law, who may prosecute or defend any person arrested or prosecuted for any offense within the county within which such city may be situated; nor shall any such member, either directly or indirectly, interest himself or interfere in any manner whatever in the employment of any attorney to aid in the defence of any person arrested or accused; and for any violation of either of the foregoing provisions, the persons so offending shall be immediately removed from the police force.

Expenses of detecting or arresting criminals; how paid.

Section 1898. The actual and necessary expenses incurred by any member of such police force in serving or executing any process or subpoena in a criminal case, or in detecting, or endeavoring to detect, discover, or arrest any perpetrator of crime against the laws of the state, or to discover or reclaim any property feloniously stolen, concealed, or carried away, when directed to do so by the superintendent or the president of the board of police, or by the prosecuting attorney of the county in which such city is located, shall be a charge against such county; and the amount of such expenses shall be made out in detail and verified by the oath of the party to whom the same is due, to the effect that the sums therein charged have been actually paid out by him, and shall not include any items of traveling expenses in cases wherein transportation had been furnished to the party gratuitously and without pay by him, under whatever circumstances such free transportation may have been given; and when such bill has been audited and certified by the board of police commissioners, it shall be presented to the board of commissioners of the county, and shall be by them audited and paid, as other county expenses are audited and paid.

Station-houses.

Section 1899. The board shall provide, when required, at the expense of the city, all necessary accommodations within such precincts as are contained within the boundaries of such city for the station-houses required by the board for the accommodation of the police force of such precinct, for the lodging of vagrant or disorderly persons, and for the temporary detention of persons arrested for offenses or held as witnesses.

Lands and buildings for police purposes.

Section 1900. The power of purchasing lands for police purposes and the supervision and control of the erection, altering or repairing any station-houses or buildings, shall be solely vested in the board of police commissioners; and all expenses incurred for the above purposes shall be paid out of the police funds of such city

upon the order of the board; provided, that no expenditure exceeding one thousand dollars for the purchase of land or the erection of new buildings, or alteration or repair of old buildings, shall be made by the board, unless the same shall have been first approved by the common council.

Section 1901. At least ten days' notice shall be given in some newspaper of general circulation in such city, of the reception of proposals for the performance of any contract exceeding five hundred dollars in amount, and such contract shall be awarded to the best and lowest bidder, who shall furnish satisfactory security for the performance of the same; and no commissioner or other officer of the board, or employe of the department shall be interested in any contract connected with the police department.

Contracts with police department.

Section 1902. When a member of the police force becomes bodily disabled, in consequence of and while in the performance of official duty, he may continue to draw his regular salary, at the discretion of the board, for a period not to exceed one month.

Pay of disabled members.

Section 1903. The board of police commissioners are hereby authorized to create a police relief fund, by assessing upon each member of the force a sum, to be deducted from the monthly pay of each member, not exceeding fifty cents per month; and the sum so fixed and deducted shall be, by the clerk of the board, paid into the city treasury to the credit of the police relief fund, and shall be used exclusively to relieve members of the force when sick or disabled from the performance of duty, for funeral expenses, relief of their families in case of death, or for pensions, when honorably retired from the force.

Police relief fund.

Section 1904. All fines and forfeitures from policemen, all rewards, fees, proceeds of gifts and emoluments that may be allowed by the board, to be paid and given for or on account of any extraordinary service of any member of the force, all moneys arising from the sale of unclaimed property or money, after deducting all expenses incident thereto, shall be paid into the city treasury to the credit of the police relief fund; and the police commissioners shall be trustees of the fund, and shall invest the same from time to time, when there is a surplus, in United States bonds, bonds of the State of Ohio, bonds of such city, or bonds of the county in which such city is located.

Fines, rewards, etc., to be paid into relief fund; investment by board.

Section 1905. The members of the police force of the city shall make such rules and regulations as to the disbursement of the police relief fund to the members as they may deem proper, such rules and regulations to be approved by the board of police commissioners; and the members of the police force, each having one vote, shall elect, annually, on the first Wednesday after the first day of January, in each year, a board of seven members from their own number, to be known as the board of directors of the police relief fund, to whom shall be entrusted the entire management of the fund and its disbursement, subject to the approval of the police commissioners, as heretofore provided.

Rules for its disbursement; board of directors of relief fund.

Section 1906. The board of directors shall organize, electing a president and secretary, and no payment of any money shall be made from the relief fund, save for investment by the trustees, except upon the order of the board of directors, signed by the president, countersigned by the secretary, and approved by the

Organization of said directors; orders on the fund; interest of ex-members therein.

board of police commissioners. Members who have resigned, or have been dismissed from the force, shall have no interest in or claim on such fund; and members who are honorably retired from the force, shall only have such interest in the fund as may be fixed in the rules and regulations in relation to the fund by the board of directors.

Duties of police upon commission of crime.

Section 1910. When a crime is committed in such city, whether the person accused or suspected flees from justice or not, the superintendent of police shall immediately report to the chief of detectives all facts which may have come to his knowledge concerning the offense, or the accused, or suspected party, and the board may in its discretion authorize any person or persons belonging to the police force to arrest such accused or suspected person, and return him to the proper criminal court having jurisdiction of the offense, for trial.

Power to issue warrants and commit for examination.

Section 1911. The president of the board and superintendent of police shall each have the power to issue criminal warrants in all cases, upon the complaint of any person on oath, making the same returnable before the judge of the police court of such city, and they may each commit for examination.

Power to issue subpoenas, take depositions, compel attendance of witnesses, etc.; witness fees.

Section 1912. The board of police commissioners and the clerk of the board shall each have power to issue subpoenas attested in the name of the president, to compel the attendance of witnesses upon any proceeding authorized by this subdivision and by the regulations of the board; witnesses for whom such subpoenas are issued shall be entitled to the usual fee prescribed for witnesses; and each commissioner of police, the superintendent, and the clerk of the board of police commissioners, are hereby authorized and empowered to administer oaths and affirmations to any person summoned and appearing in any matter or proceeding authorized as aforesaid, or to take any deposition necessary to be taken under the rules and regulations of the board, or for the purposes of this subdivision; and in case any person subpoenaed under this section fails or refuses to obey such subpoena, or refuses to take, when required, the proper oath or affirmation, or to answer any proper question, the board of police commissioners shall have the same power to compel attendance and punish disobedience as justices of the peace in like cases.

Search warrants.

Section 1913. Upon complaint, on oath, that any personal property has been stolen, or embezzled, and that the complainant believes that such property is concealed in any particular house, or place in such city, or within four miles of the corporate limits thereof, the president of the board of police commissioners may, if he is satisfied that there is reasonable ground for such belief, issue a warrant to search for such property, which warrant shall be directed to some officer of the police force, and shall command him to search the place, which place shall be designated, and the property particularly described in the warrant, and to bring such stolen property before the judge of the police court; and upon the return of such warrant to such judge, he shall proceed thereon in like manner as if such warrant had been by him issued; and no fees shall be allowed for the issue or execution of the warrants aforesaid.

Section 1914. All stolen or other property recovered by members of the police force, shall be deposited and kept in a place designated by the board of police commissioners; every such article of property shall be entered in a book kept for that purpose, by the secretary of the board, together with the name of the owner, if ascertained, and the name of the place where found, and of the persons from whom taken, with the general circumstances, and the date of its receipt and the name of the officer receiving the same; an inventory of all money, or other property, shall be given to the party from whom the same was taken, and in case the same is not, within thirty days after such arrest and seizure, claimed by some person, it shall, unless otherwise ordered by the board, be delivered to the person from whom the same was taken, and to no other person, either attorney, agent, factor, or clerk, except by special order of the board; and in case such money or property is, within thirty days, claimed by any other person, it shall be retained by such custodian until after the discharge or conviction of the person from whom the same was taken, and so long as it may be required as evidence in any case in court; and if such claimant establish, to the satisfaction of the police judge, that he is the rightful owner, the same shall be restored to him, otherwise it shall be returned to the accused, personally, and not to any attorney, agent, factor, or clerk of such accused person, except upon special order of the board, after all liens and claims in favor of the board and the city, against the same, shall have first been discharged and satisfied.

Stolen or other property recovered by police, how kept; record, inventory, and restoration of.

Section 1915. In case of the neglect or refusal of any officer or patrolman to deposit the property taken or found in the possession of any person arrested, as provided in the preceding section, he shall be deemed guilty of a misdemeanor and subject to indictment, or information, and be fined in a sum not exceeding three thousand dollars, and in no case less than the value of the property, or be imprisoned in the county jail not exceeding one month, or both; and the sentence of the court, in such cases, shall operate to vacate the office of the person so convicted.

Penalty for neglect to deposit stolen property.

Section 1916. All goods unclaimed for the period of one year, shall be sold by the superintendent of police, at public auction, after giving due notice thereof, by advertisement, published three times, in a newspaper of general circulation in such city.

Disposition of unclaimed property.

Section 1917. The superintendent of police, and the lieutenants of police within their districts, shall possess powers of general supervision and inspection over all pawnbrokers, junk-shop keepers, cartmen, hackmen, dealers in second-hand merchandise, intelligence-office keepers, and auctioneers, within such city; and in the exercise, and in furtherance of such provision, may, from time to time, detail members of the police force to fulfill such special duties in the aforesaid premises, as may be ordained by the board.

Supervision of pawnbrokers, hackmen, auctioneers, etc.

Section 1918. The superintendent, and the lieutenants within their districts, may, by authority in writing, empower any member of the police force, whenever such member is in search of property feloniously obtained or in search of suspected offenders, to examine the books of any pawnbroker, or his business premises, or the business of any junk-shop keeper, or dealer in second-hand merchandise, or intelligence-office keeper; and such member of the force,

Examination of books of pawnbrokers, etc.

when thereunto authorized in writing as aforesaid, and having in his possession a pawnbroker's receipt or ticket, shall be allowed to examine the property purporting to be pawned, pledged, or deposited on such receipt or ticket, in the possession of whomsoever such property maybe; but no such property shall be taken from the possessor thereof, without due process or authority of law.

Penalty for
resisting po-
lice in dis-
charge of
their duty.

Section 1919. Any willful resistance to the superintendent, lieutenants, or to any member of the force, while in official and due discharge of duty, by any of the persons named in the preceding section, shall be a misdemeanor, and such person, upon conviction thereof, shall be fined in any sum not less than ten nor more than five hundred dollars, and may be imprisoned in the county jail not more than three months, or both.

Suppression
of gaming-
houses, etc.

Section 1920. Whenever the board ascertains, or receives satisfactory information, that any house, room, or premises within such city, or within four miles of the corporate limits thereof, is being kept or used as a common gaming-house, or common gaming premises, for playing therein for wagers of money at any game of chance, or if the same is kept or used for any lewd or obscene public amusement, or the deposit or sale of lottery tickets or lottery policies, it shall be lawful for such board, and it shall be its duty, to authorize and direct the superintendent, or any other officer of the force, to enter such house, room, or premises, and forthwith arrest all persons therein found offending against any law, and seize all implements of gaming, lottery tickets, and lottery policies, and convey any person so arrested before the judge of the police court, and bring the articles to the office of the board.

Prosecution
of persons
arrested; de-
struction of
property
seized; no-
tices to owner
of house.

Section 1921. The superintendent of police shall cause such arrested persons to be vigorously prosecuted, and such seized articles to be destroyed; and the board shall cause the owner of such house, room, or premises, his agent, or representative, to be notified in writing, that such house, room, or premises, is being used for an unlawful purpose, and it shall be the duty of the owner, agent, attorney, or representative, to cause the use of the premises for such unlawful purpose to cease.

Penalty for
failure to
cause such
unlawful use
of premises
to cease.

Section 1922. If any owner, agent, attorney, or representative neglects or refuses or fails to use diligence to cause the use of the premises for such unlawful purposes to cease, as provided in the preceding section, within a reasonable time, to the satisfaction of the board, he shall, upon conviction thereof, for the first offense, be fined not less than fifty nor more than two hundred and fifty dollars, and shall be committed until the fine and costs are paid; and for the second or any subsequent offense, he shall, upon conviction, in addition to the fine, be imprisoned in the county jail not less than fifteen days nor more than three months.

Seizure and
destruction
of gaming
devices.

Section 1923. Whenever the board ascertains or receives satisfactory information that there is any prohibited gaming table, or other gaming device, kept or used in such city, the board shall have power to authorize its president to issue, and it shall be its duty forthwith to order a warrant to be issued by him, directed to the superintendent of police, or some other officer of the police under the board, to seize and bring before the president such gaming table or other gaming device; and the officer charged with the

execution of such warrant, shall have power to break open doors for the purpose of executing the same, and for that purpose may have the assistance of the whole police force; and it shall be the duty of the president, before whom any such prohibited gaming table or gaming device is brought, to cause the same to be destroyed, by burning or otherwise.

SEC. 2. That sections 1870, 1871, 1872, 1873, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922 and 1923 [of the Revised Statutes,] as amended February 27, A. D. 1880 (vol. 77, Ohio Laws, pages 23 to 35,) and sections 1879 and 1895 as amended April 15, 1882, (79 O. L. 132), be and the same are hereby repealed. Repeal.

SEC. 3. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[Senate Bill No. 428.]

AN ACT

To amend sections 1655, 1656, 1658, 1661 and 1672 of the Revised Statutes of Ohio, and to extend the application of sections 1662, 1663, (as amended April 7, 1881, 1664, 1665, 1666, 1667, 1668, 1669, 1670 and 1671 to cities of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1655, 1656, 1658, 1661 and 1672 of the Revised Statutes of Ohio be amended so as to read as follows:

Section 1655. In cities of the first, second and third grades of the first class, the legislative power and authority shall be vested in a board of aldermen, and a board of councilmen, which together shall form the common council. Common council in cities of first class.

Section 1656. In cities of the first grade of the first class, the board of aldermen shall consist of thirty members, to be elected by districts, to serve for the term of four years, and for the purpose of electing such aldermen, such cities shall be and are hereby divided into five districts, as follows: Board of aldermen in Cincinnati and Cleveland.

The first, second, third, fourth and seventh wards shall constitute the first district.

The fifth, sixth, eighth, ninth and tenth wards shall constitute the second district.

The eleventh, twelfth, twenty-third, twenty-fourth and twenty-fifth wards shall constitute the third district.

The thirteenth, fourteenth, fifteenth, sixteenth and twenty-second wards shall constitute the fourth district.

And the seventeenth, eighteenth, nineteenth, twentieth and twenty-first wards shall constitute the fifth district. [75 v. 56, § 1.]

In cities of the second grade of the first class, the board of aldermen shall consist of nine members, to be elected by districts, to serve for the term of two years, and for the purpose of electing such aldermen, such cities shall be and are hereby divided into nine districts, as follows:

The second, third and fifth wards shall constitute the first district.

The seventh, twentieth and nineteenth wards shall constitute the second district.

The fourth, sixth and twenty-first wards shall constitute the third district.

The first and twenty-second wards shall constitute the fourth district.

The fifteenth, sixteenth and seventeenth wards shall constitute the fifth district.

The fourteenth and eighteenth wards shall constitute the sixth district.

The eighth, tenth and twenty-third wards shall constitute the seventh district.

The ninth, eleventh and twenty-fifth wards shall constitute the eighth district.

And the twelfth, thirteenth and twenty-fourth wards shall constitute the ninth district.

And in said cities of the second grade of the first class, at the first annual municipal election to be held after the passage of this act, and biennially thereafter, said board of aldermen shall be elected by the electors in their respective districts.

Board of councilmen in cities of first class; election of members.

Section 1658. In cities of the first and third grades of the first class, the board of councilmen shall consist of two councilmen from each ward, and they shall be elected for the term of two years, and in cities of the second grade of the first class, the board of councilmen, except as herein provided, shall consist of one member from each ward, and they shall be elected, except as in this section provided, for the term of two years, and at the annual municipal election to be held in April, 1885, in the cities last named, there shall be elected one councilman from each ward, to serve for the term of one year; and at the annual municipal election in 1886, there shall be elected one councilman from each ward, to serve the said term of two years, and thereafter, biennially, there shall be elected one from each ward.

Members in office; election in new wards.

Section 1661. In cities of the first and third grades of the first class, the members of the council in office shall serve until the expiration of their respective terms, and at each annual municipal election hereafter, one member of the council shall be elected in each ward to serve for two years, and where a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the next municipal election they shall vote in such ward for one member for one year, and one member for two years, designating the term on their ballots. [66 v. 163, § 85; 68 v. 55, § 410.] And in cities of the second grade of the first class, the members of the council in office shall also serve

until the expiration of their respective terms, and where a new ward is created, the mayor, in his proclamation, shall give notice to the electors that at the next annual municipal election they shall vote in such ward for a member of the board of councilmen for such new ward.

Section 1672. The legislative authority of villages shall be vested in a council consisting of six members, except [that] in villages divided into three or more wards, such authority shall be vested in a council composed of two members from each ward; and the legislative authority of cities, except as provided in sections 1655, 1656, 1658 and 1661, of the Revised Statutes, as hereby amended, shall be vested in a council consisting of two members from each ward. All laws now in force applicable to cities of the second grade of the first class, relating to their government, except as changed in this act, shall still remain in force, and whenever the words "city council" or "council" are used in said laws, applicable to cities of the second grade of the first class, they shall mean the "common council," as used in this act. Section 1662 and section 1663 as amended April 7, 1881, and sections 1664, 1665, 1666, 1667, 1668, 1669, 1670 and 1671, of the Revised Statutes of Ohio, shall hereafter apply to cities of the second grade of the first class, as they have heretofore applied to cities of the first and third grades of the first class.

Common council in cities and villages.

Certain sections of Revised Statutes made applicable to Cleveland.

SEC. 2. That said sections 1655, 1656, 1658, 1661 and 1672 be and the same are hereby repealed.

Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 3, 1885.

[House Bill No. 1045.]

AN ACT

To authorize the city of Cincinnati to issue bonds for the purposes therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works of any city of the first grade of the first class be, and is hereby authorized to borrow, in behalf thereof, any sum not exceeding seventeen thousand dollars, (\$17,000), to pay deficiencies existing in the house of refuge fund of said city.

Authorizing Cincinnati to borrow money and issue bonds to pay deficiencies.

SEC. 2. For the payment or said loan, the board of public works shall issue the bonds of said city, signed by the president of said board, and countersigned by the comptroller of said city, in a sum not exceeding seventeen thousand dollars, bearing interest at not more than four per centum, per annum, payable in not less than ten and not more than thirty years, at the option of said board of public works. Said bonds to be of such denomination as said board may direct, and shall be sold at not less than par, and said sale shall be according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[Senate Bill No. 402.]

AN ACT

To authorize cities of the second grade of the first class to provide means to construct and rebuild a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the first class is hereby authorized to issue bonds to an amount not exceeding sixty-five thousand dollars, to provide means to construct and rebuild a bridge over Walworth Run, on Pearl street, in the city of Cleveland.

Authorizing
Cleveland to
issue bonds
to rebuild a
bridge.

SEC. 2. That said bonds shall mature at such time, not exceeding twenty years, and bear interest at such rate, not exceeding six per cent. per annum, as the city council of any such city may determine; and the proceeds of such bonds, when sold as provided by law and ordinance, shall be used for the purpose expressed in this act till such purpose is accomplished, and the surplus, if any, shall be applied as directed in section 2710 of the Revised Statutes.

SEC. 3. That this act shall be in force from its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 4, 1885.

[Senate Bill No. 365.]

AN ACT

To amend section 4800 of the Revised Statutes of Ohio, as amended April 19, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4800 of the Revised Statutes of Ohio, as amended April 19, 1881, be so amended as to read as follows:

Section 4800. The county commissioners shall build any or all of the bridges and culverts upon the roads provided for in this chapter, and pay for all gravel used in the construction or repair of such roads, in such manner as they deem best.

SEC. 2. That section 4800, as amended April 19, 1881, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 8, 1885.

One mile
assessment
pikes:
bridges;
payment of
gravel for
repairs, etc.

[Senate Bill No. 340.]

AN ACT

In relation to the collection and disbursement of state taxes upon Ohio university lands, and to repeal an act therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That hereafter, a state tax, or a tax equal to the state tax upon like property, shall be levied and collected upon all lands donated to the Ohio university, situated at Athens, Ohio, and held by lease from said university, or by deed from the governor or the said university, including such parts of said lands as are or may be owned, occupied or used by railroad companies as road-beds, road-ways, station-houses, or for other purposes; and the said taxes, when collected, shall be paid over by the treasurer of Athens county, upon the warrant of the auditor of said county, to the treasurer of the Ohio university for its use.

SEC. 2. That the tax so to be collected upon lands so held by lease, shall be in lieu of so much of the rents due to the university; and the tax so to be collected from railroad companies, and paid to the university, shall not include the tax upon rolling stock.

SEC. 3. That the act entitled "an act to refund to the Ohio university certain funds in the state treasury, and to provide for the future payment of the claims of said university," passed March

Levy and
collection of
state tax
upon lands
donated to
Athens Ohio
University
for use of
said Univer-
sity.

Repeal.

25, 1875, be and is hereby repealed, saving, however, all rights vested or acquired under said act.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

. Passed April 9, 1885.

[Senate Bill No. 447.]

AN ACT

Relating to certain proposed amendments to the constitution and the publication thereof.

Preamble.

WHEREAS, The general assembly of the state of Ohio, (three-fifths of the members elected to each house agreeing thereto), have proposed an amendment to the constitution, and may propose other amendments, to be submitted to the electors for their approval or rejection at the election for senators and representatives in the general assembly on the second Tuesday of October, A. D. 1885; therefore,

Vote on proposed constitutional amendments.

Returns of vote cast by precincts.

Returns by counties to Secretary of State; canvass thereof; Governor's proclamation.

Publication of proposed amendments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the electors of this state shall vote upon said proposed amendment, or amendments, at the general election in October, A. D. 1885, in the manner and form as prescribed therein.

SEC. 2. The judges and clerks of election in each township, ward and precinct shall, in addition to the returns provided by law, and at the same time, make return to the clerk of the county of the vote cast for and against said proposed amendments, respectively.

SEC. 3. A return, additional to the return now required by law to be made of the votes cast at such election for state officers and senators and representatives, and also for and against said proposed amendment or amendments to the constitution, shall be certified and made by the clerk of each county to the secretary of state within ten days after said election; and within twenty days after said election, the governor, secretary of state and attorney-general shall open said returns, and count the votes, and ascertain whether or not a majority of the votes cast at said election have been cast for said proposed amendment or amendments, or either of them; and if it appears that a majority of the votes cast at said election have been cast for said proposed amendment or amendments, or either of them, the governor shall make proclamation thereof without delay.

SEC. 4. The secretary of state shall cause the amendments to the constitution proposed at the present session of the general assembly, to be published once each week in not less than one newspaper in each county of the state wherein a newspaper is published, once each week for six months, and until the second Tuesday in October, A. D. 1885; and in counties where news-

papers represent each of the two leading political parties, then such amendments shall be published in one newspaper of each political party once each week for six months, and until said second Tuesday of October, A.D. 1885; and in counties having a German newspaper of general circulation, once a week in a German newspaper for said time; and in counties having two German newspapers of opposite politics, of general circulation in the county, it shall be published in each of such German newspapers.

SEC. 5. The charges for publication shall not exceed sixty per cent. of the rates established in section four thousand three hundred and sixty-six (4366) of the Revised Statutes for legal advertising. The cost of publication shall be paid out of the state treasury from any money not otherwise appropriated, upon the warrant of the auditor of state, upon vouchers approved by the supervisor of public printing, who shall make legal measurement of the matter published.

Charges for
publication;
how paid.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 9, 1885.

[House Bill No. 776.]

AN ACT

To amend section 2100 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two thousand and one hundred of the Revised Statutes of Ohio, be amended so as to read as follows:

Section 2100. A person so sentenced shall be received into such work-house, and shall be kept and confined at labor therein, or if such labor cannot be furnished therein, then such person may be employed at hard labor elsewhere within the limits of the corporation where such employment shall be authorized by ordinance, and shall be subject to the rules, regulations and discipline thereof, until the expiration of his sentence, when such person shall be discharged; but no person committed or held in default of the payment of a fine, penalty or costs of any prosecution, shall be released under the laws providing for the relief of insolvent debtors.

Labor of
prisoners
sentenced to
work-house;
their dis-
charge.

SEC. 2. That said original section numbered 2100 be and the same is hereby repealed.

Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 9, 1885.

[House Bill No. 745.]

AN ACT

To authorize mechanics' institutes, incorporated in this state prior to the year 1851, to borrow money and mortgage real estate therefor.

Authorizing certain mechanics' institutes to borrow money; liability of directors and trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any mechanics' institute, incorporated under the laws of this state prior to the year eighteen hundred and fifty-one (1851), be and it is hereby authorized and empowered to borrow money, issue bonds or notes therefor, at no more than the legal rate of interest, and secure the same by mortgage upon its real estate.

SEC. 2. The directors and trustees of such corporations shall not be personally liable for debts contracted by virtue of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 678.]

AN ACT

Requiring railroad companies to place spark arresters on locomotive engines.

Requiring railway companies to use spark arresters, when.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That every railroad company operating a railroad or any portion of a railroad, wholly or partly within the state of Ohio, shall place, or cause to be placed, on every locomotive engine used in operating such railroads, or constructing or repairing the same, some device or contrivance that will most effectually guard against the emission of fire and sparks which would otherwise be thrown out by such engines. And such railroad companies shall keep such device or contrivance in good repair: Provided, that such railroad companies shall not be required to use such devices during the months of December, January and February.

Penalty for violation of this act.

SEC. 2. Any railroad company or corporation violating the provisions of this act shall, upon conviction thereof in any court of competent jurisdiction, forfeit and pay for each and every such violation any sum not exceeding one hundred dollars; and in addition thereto the court of common pleas, in and for any county through which such railroads are or may hereafter be constructed and operated, may enjoin such railroad companies or corporations from operating on such railroads, any locomotive not provided with the device as required by section 1.

SEC. 3. This act shall take effect and be in force on and after June 1, 1885.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 671.]

AN ACT

Supplementary to an act entitled "an act to amend section one of an act passed and took effect April 16, 1867, entitled an act to authorize and require the payment of bounties to volunteer soldiers," passed April 16, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the certificate of the adjutant-general of the state of Ohio, when it appears from the records of his office that the applicant re-enlisted and was mustered into the service of the United States, specifying dates and the locality to which the applicant was credited, shall be taken as prima facie evidence of his being credited upon such re-enlistment to the township or city named in said certificate.

Evidence in
bounty
cases.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 401.]

AN ACT

To amend section 6861 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand eight hundred and sixty-one of the Revised Statutes of Ohio, be amended so as to read as follows:

Section 6861. That it shall be unlawful for any person or persons without proper authority, to place any obstruction upon any railroad in this state, or displace, injure, or destroy anything appertaining thereto, or interfere with, remove, displace, or disarrange, any rail, cross tie, switch, side track, locomotive, car, or train of cars or other property of any such railroad, or interfere with, remove, displace, or disarrange any flag, lamp or other signal attached to or employed upon any railroad, railroad car or train of cars, locomotive, switch or other property of any such railroad, or remove from, disarrange or destroy, any lock, fastening, couplings or attachment on any track, car, switch, stand, tool house, depot or other property of any such railroad. Any person violating any of the provisions of this section shall upon conviction, be fined not more than five hundred nor less than twenty-five dollars, and imprisoned in the penitentiary not more than ten years, or in the county jail not less than thirty days.

Penalty for
unlawfully
obstructing
railways or
interfering
with
switches, etc.

SEC. 2. That said original section 6861 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 597.]

AN ACT

To amend sections 7015 and 7016 of the Revised Statutes, and to provide against the payment of wages in scrip, orders, etc., payable otherwise than in money, and against selling goods or supplies to employes at excessive prices.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 7015 and 7016 [of the Revised Statutes] be amended so as to read as follows:

Payment of
laborers in
scrip, orders,
etc.; penalty;
proviso.

Section 7015. It shall be unlawful for any person, firm, company, or corporation to sell, give, deliver, or in any manner issue, directly or indirectly, to any person employed by him or it, in payment of wages due for labor, or as advances on the wages of labor not due, any scrip, token, check, draft, order, or other evidence of indebtedness, payable or redeemable otherwise than in money; any violation of the provisions of this section shall be punishable by a fine of not less than twenty-five, nor more than one hundred dollars, or imprisonment of not more than thirty days, or both; and the amount of any scrip, token, check, draft, order, or other evidence of indebtedness, sold, given, delivered, or in any manner issued, in violation of the provisions of this section, shall be recovered in money at the suit of any holder thereof, against the person, firm, company, or corporation selling, giving, delivering, or in any manner issuing the same; provided, that nothing in this section shall apply to any person, firm, company, or corporation employing less than twenty men; and, provided further, that nothing in this section shall apply to or affect the right of any person or private individual from giving orders on any store or business house or firm in the business or profits of which he has no interest, directly or indirectly.

Compelling
employes to
purchase at
certain
places; pay-
ment of la-
borers in
scrip, orders,
etc., or goods
at excessive
prices; pen-
alty.

Section 7016. Whoever compels, or in any manner seeks to compel, or attempts to coerce an employe of any person, firm, or corporation to purchase goods or supplies from any particular person, firm, or corporation, shall be fined not more than one hundred nor less than twenty dollars, or imprisoned not more than sixty days, or both; and whoever sells goods or supplies of any kind, directly or indirectly, to his employe, or pays the wages of labor of his employes in goods or supplies of any kind, directly, or through the intervention of scrip, order, or other evidence of indebtedness, at higher prices than the reasonable or current market value in cash of such goods or supplies, shall be liable to like punishment and penalties above specified, and shall, in addition thereto, be liable in civil action to the party aggrieved, in double the amount of any charges made for such goods or supplies in excess of the reasonable or current market value in cash, of such goods or supplies.

Repeal.

SEC. 2. Sections 7015 and 7016 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1885.

[House Bill No. 625.]

AN ACT

To amend section 4103 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-one hundred and three of the Revised Statutes of Ohio be amended so as to read as follows:

Section 4103. The common council of said city may set apart or appropriate, as a site for the buildings and ground[s] of the university, college, or institution so founded, any public grounds of the city, not specially appropriated or dedicated by ordinance to any other use or purpose, any law to the contrary notwithstanding; and the board of education of said city may also, for a like purpose, set apart, convey or lease for a term of years any grounds owned by such board.

Site and grounds for Cincinnati and Toledo universities.

SEC. 2. That said original section 4103 is hereby repealed.

Repeal.

SEC. 3. This act shall be in force and take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[Senate Bill No. 392.]

AN ACT

To amend section 16 of the Revised Statutes of Ohio, as amended February 7, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 16 of the Revised Statutes of Ohio, as amended February 7, 1885, be amended to read as follows:

Section 16. The great seal of the state shall be two and one-half inches in diameter, on which shall be engraved the device as described in the preceding section, and it shall be surrounded by these words: "The great seal of the state of Ohio." The seal of the supreme court shall be two and one-half inches in diameter, surrounded by these words: "The supreme court of the state of Ohio." The seal of the circuit court, of the court of common pleas, and of the probate court of each county, shall each be one inch and three-fourths in diameter, surrounded by these words: "The circuit court of Ohio, _____ county;" "common pleas court of the county of _____, Ohio;" "probate court, _____ county, Ohio," (*in each case insert the name of the proper county*). The seal of the superior court of any city or county shall be of the same size as the seal of the court of common pleas, and each, respectively, shall be surrounded by these words: "Superior court of _____, Ohio," (*here insert the name of proper city*); "superior

Official seals.

Repeal.

court of ——— county, Ohio," (*here insert the name of the proper county*). The seal of the secretary of state shall be two inches and one-fourth in diameter, surrounded by these words: "The seal of the secretary of state of Ohio." The seal of the auditor of state shall be one inch and three-fourths in diameter; which shall be surrounded by these words: "Seal of the auditor of state of Ohio." The seal of the treasurer of the state shall be one inch and three-fourths in diameter, surrounded by these words: "Seal of the treasurer of the state of Ohio." The seal of an asylum for the insane, or other benevolent institution of the state, shall have the name thereof engraved thereon. The seals of all other state and county and municipal officers required by law to use a seal, shall be one inch and three-fourths in diameter, surrounded by the proper name of the office. The seals of notaries public shall not be less than one inch and one-fourth in diameter, and shall be surrounded by the words: "Notarial seal, ——— county, Ohio," (*here insert the name of the proper county*), and shall contain at least so much of the coat of arms as exhibits the mountain range, the rising sun, the bundle of arrows, and the sheaf of wheat. All the seals other than the notarial seals mentioned in this section, shall contain the words and devices mentioned herein, and no other. [65 v. 175, § 2; 73 v. 80, § 20.]

SEC. 2. That said section 16, as amended aforesaid, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 718.]

AN ACT

To reimburse certain citizens of the city of Columbus for money paid to repair a street in front of premises owned by the state, and to provide for the assessment, in certain cases and for certain purposes, of real estate owned by the state.

Appropriating money to reimburse certain citizens of Columbus for money paid to repair street in front of State property.

WHEREAS, An assessment was levied in the year 1884 upon the real estate abutting upon east Town street, in the city of Columbus, to pay the expense of repairing said street; and

WHEREAS, The state is the owner of real estate so abutting, which has a frontage of 742½ feet, but upon which, under existing statutes, no assessment can be levied; and

WHEREAS, If said premises were subject to assessment, the state's portion of said expense would have amounted to \$1,436.51; and

WHEREAS, Because said premises are so exempt, the private owners of real estate abutting upon said street were obliged to pay said sum of \$1,436.51, in addition to the equitable assessments

upon their property, and which does not constitute a claim, the payment of which can be enforced against said city; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the sum of \$1,436.51 is hereby appropriated out of any money in the treasury not otherwise appropriated, to reimburse the property owners who paid that amount as stated in the preamble; and said money shall be paid to the commissioners who had charge of said repairing, who shall apportion the same equitably among said owners, and pay to each the amount so apportioned.

Appropriation and apportionment of same.

SEC. 2. That when an assessment is made by a municipal corporation on account of the expense of the opening, improvement or repair of a street or other public way, or of the construction or improvement of a sewer or drain, and such assessment is levied upon the real estate abutting upon such street or way or that is specially benefited by the work on account of which the assessment is made, and any portion of such real estate is owned by the state of Ohio, the state shall be liable for an equitable portion of such expense, which shall be ascertained as hereinafter provided, and assessed and paid accordingly.

When state is liable for street or sewer assessment.

SEC. 3. That if the municipal corporation determine to apportion such expense upon the basis of the frontage of the real estate to be assessed, the property owned by the state shall be assessed under the same municipal rules as private premises are assessed; but if it be determined to assess such expense upon premises abutting or specially benefited, in accordance with some standard of valuation, or upon the basis of benefits to accrue thereto, the amount to be levied upon premises owned by the state shall be ascertained as provided in section five.

Mode of assessing State realty.

SEC. 4. The state shall be represented for the purposes of this act, as to each tract of its real estate so situated as to become liable to assessment in pursuance of the provisions of section two, by the governor, the attorney-general and the officer or board having control of such tract, whenever duly notified by a municipal corporation of a contemplated improvement, and may join or refuse to join in any petition of property owners, and the premises represented by them shall be considered, in case of a petition to the council or other proper authority of such municipal corporation, as though it were private property, so far as it may count in determining whether an improvement shall be made.

Representatives of State and status of State property in case of such improvement.

SEC. 5. When it is determined by the municipal corporation to apportion the expense mentioned in section two, otherwise than by the rule of frontage, the representatives of the state as to any particular premises liable to assessment, and the council or other proper authority of the municipal corporation, shall apportion to the state property such portion of the expense as they deem equitable; such representatives shall also, when an assessment is made upon property of the state by the rule of frontage, satisfy themselves that the same is correct, and according to law. The clerk of the corporation and the representatives shall, in either case, certify the same to the auditor of state, who shall draw his warrant upon the treasury out of any funds to the credit of the general revenue fund not otherwise appropriated, in favor of the corporation making the improvement provided for in this act.

Apportionment to State property of expense of such improvement and payment of same.

Sprinkling
and sweep-
ing of streets
in front of
State prop-
erty.

SEC. 6. When premises owned by the state abut upon any street or other public way of a municipal corporation, the officer or boards having charge and control thereof, respectively, may sign petitions for the sprinkling or sweeping, or both, of such street or way, and thereby charge the state with its proper share, according to the rule of frontage, of the expense of such service. In case any such premises are occupied by a state benevolent or penal institution, the board having control thereof shall direct the payment of the portion of such expense pertaining thereto from the money appropriated by the general assembly for the payment of the general current expenses thereof; and in case any such premises are otherwise occupied, the officer or board having charge thereof shall report the share of such expense pertaining thereto to the general assembly at its next session, after the obligation is incurred, for payment.

Construc-
tion, main-
tenance,
etc. of side-
walks in
front of State
property.

SEC. 7. When premises owned by the state within a municipal corporation are so situated that sidewalks around them, or along any portion thereof, or crossings are essential to the convenience and comfort of the public, the state shall pay its proportion for constructing, manufacturing and keeping the same clean, to be determined by the laws governing municipal corporations authorizing or compelling the construction and maintenance of sidewalks and crossings, and the state's proportion shall be paid on the order of the governor and on the warrant of the auditor, out of any money in the treasury, and not otherwise appropriated; the same and such improvement shall be in conformity with the ordinances of the municipal corporation as to width, grade and curb. The state shall also keep such sidewalks and crossings clear and in good repair, the expense of such repair to be paid in the manner provided in the preceding section for the payment of the expense of sprinkling and sweeping streets.

SEC. 8. This act shall take effect upon its passage; for the purposes mentioned herein, so much of subdivision 3 of section 2732 of the Revised Statutes, as applies to real property of the state, is hereby declared inapplicable.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 454.]

AN ACT

Prescribing the rate of state taxes, and to repeal an act therein named.
(O. L., v. 81, p. 180.)

Prescribing
the rate of
State taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be levied, annually, taxes for state purposes, on each dollar of valuation of taxable property, as follows:
For general revenue purposes, being the expenses of the state, the-benevolent, charitable, penal and reformatory institutions, for

the payment of such other charges as may be made by law, and for reimbursing to the sinking fund such sums as have been transferred from that fund, one mill and four-tenths of one mill, the same to be styled the "revenue fund."

For the payment of interest, and the constitutional reduction of the principal of the public debt of the state, five-tenths of one mill, said fund to be styled the "sinking fund."

For the support of common schools, one mill, said fund to be styled the "state common school fund."

SEC. 2. That the act "prescribing the rates of state taxes, and to repeal an act herein named," passed April 14, 1884 (O. L., v. 81, p. 180), be and the same is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 294.]

AN ACT

To amend section 5242 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5242 of the Revised Statutes be amended so as to read as follows:

Section 5242. A party shall not testify where the adverse party is the guardian or trustee of either a deaf and dumb or an insane person, or of a child of a deceased person, or is an executor or administrator, or claims or defends as heir, grantee, assignee, devisee, or legatee of a deceased person, except—

*Competency
of a party to
testify.*

1. To facts which occurred subsequent to the appointment of the guardian or trustee of an insane person, and, in the other cases, subsequent to the time the decedent, grantor, assignor, or testator died.

2. When the action or proceeding relates to a contract made through an agent by a person since deceased, and the agent is competent to testify as a witness, a party may testify on the same subject.

3. If a party, or one having a direct interest, testify to transactions or conversations with another party, the latter may testify as to the same transactions or conversations.

4. If a party offer evidence of conversations or admissions of the opposite party, the latter may testify concerning the same conversations or admissions.

5. In an action or proceeding by or against a partner or joint contractor, the adverse party shall not testify to transactions with, or admissions by, a partner or joint contractor since deceased, unless the same were made in the presence of the surviving part-

ner or joint contractor; and this rule shall be applied without regard to the character in which the parties sue or are sued.

6. If the claim or defense is founded on a book account, a party may testify that the book is his account book; that it is a book of original entries; that the entries therein were made by himself, a person since deceased, or a disinterested person, non-resident of the county. Whereupon the book shall be competent evidence, and such book may be admitted in evidence in any case, without regard to the parties, upon like proof by any competent witness.

7. If a party, after testifying orally, die, the evidence may be proved by either party on a further trial of the case, whereupon the opposite party may testify to the same matters.

8. If a party die, and his deposition be offered in evidence, the opposite party may testify as to all competent matters therein.

Nothing in this section contained shall apply to actions for causing death, or actions or proceedings involving the validity of a deed, will, or codicil; and when a case is plainly within the reason and spirit of the last three sections, though not within the strict letter, their principles shall be applied.

Repeal.

SEC. 2. Said section 5242 of the Revised Statutes is hereby repealed, and this act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 1058.]

AN ACT

To amend section 454d of an act entitled "an act to provide for the organization of circuit courts, and adapt legislation thereto," passed April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 454d of the above mentioned act be so amended as to read as follows:

Additional
bond in
cases pend-
ing in dis-
trict court,
February
9th, 1885,

Section 454d. Any party to an action or proceeding pending in the district court on the ninth day of February, 1885, who in such action or proceeding shall have given bond, undertaking or recognizance conditioned upon the judgment, order or decree of the district court, shall within thirty days thereafter, or if by accident, or inadvertance, or oversight not within that period, within such reasonable time as the circuit court shall determine, give an additional bond, undertaking or recognizance according to law, so as to make the same conditioned upon the judgment, order or decree of the circuit court instead of the district court. On failure to give such bond, undertaking or recognizance within the term so required by law, or prescribed by the court, upon motion

filed and notice given, the circuit court may proceed in such action or proceeding as if no bond, undertaking or recognizance had ever been given.

SEC. 2. Said section 454d be and the same is hereby repealed. Repeal.

SEC. 3. This act shall be in force and take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 1004]

AN ACT

To give consent to the purchase by the United States of a site for the erection of a public building in Springfield, Ohio, and ceding jurisdiction over the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the consent of the state of Ohio is hereby given to the purchase by the United States of America, of one or more pieces of land, situate in the city of Springfield, not exceeding one acre in quantity, on which to erect a public building and appurtenances, for the use and accommodation of the post-office, internal revenue office, pension office, and for other government uses; and the said United States shall have, hold, use, occupy and own the said land, when purchased, and exercise exclusive jurisdiction and control over the same and each and every part thereof, subject to the restriction hereinafter mentioned.

Authorizing
United
States to
purchase
land in
Springfield.

SEC. 2. The jurisdiction of the State of Ohio in and over the land mentioned in this act, when purchased by the United States, shall be and the same is hereby ceded to the United States, to continue so long and no longer than the United States shall own and occupy the said land.

Cession of
jurisdiction.

SEC. 3. The said consent is given and the said jurisdiction ceded upon the express condition that the State of Ohio shall retain concurrent jurisdiction with the United States in and over said land, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of Ohio, against any person or persons charged with any crime, misdemeanor or offense committed within said state, including said land, may be served and executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States; and also, upon the further condition that all persons who are now residing or shall hereafter reside upon said lands so acquired, shall, subject to the general laws of this state, be deemed and held to be citizens of the state of Ohio, entitled to all the privileges, and subject to all the liabilities and duties of citizens of this state; and the taking pos-

Conditions
and reserva-
tions.

session of said lands by the United States shall be taken and held as an acceptance on the part of the United States of all the stipulations, conditions and terms of this act.

Vesting of jurisdiction; freedom from taxation of property purchased.

SEC. 4. The jurisdiction ceded by this act shall not vest until the United States has acquired the title of said lands by purchase or otherwise, and so long as said land shall remain the property of the United States, and no longer, the same shall be exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of this state.

SEC. 5. This act shall take effect from its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 966.]

AN ACT

To supplement section 4009 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to section four thousand and nine of the Revised Statutes of Ohio:

Schools of higher grade in townships

Section 4009a. For the purpose of providing such schools of higher grade, any township district, village and special district, situate within the boundaries of such township, may be united together and organized as a special district for high school purposes, by a vote of the electors of such township at any general election as herein provided.

Vote on union of districts for high school purposes; appointment of board of education for high school.

Section 4009b. Any ten or more of the qualified electors of any township having a village district or special district within its limits, may give ten days' notice before any general election that a separate vote will be taken at the next general election in said township, in each of the districts proposed to be so united, on the proposition to unite such village, township district or special district, or any two of said districts for high school purposes. Such notice shall be sufficient, if given, by publication in a newspaper published and of general circulation in said township, and by being conspicuously posted in at least three public places in each of the districts interested. At such next general election held after publication of such notice, all electors voting in favor of such union shall have written or printed on their ballots, "Special District for High School Purposes—Yes;" and all electors voting against such union, shall have written or printed on their ballots, "Special District for High School Purposes—No." If a majority of the ballots cast on the proposition in each of said districts have on them the words "Special District for High School Purposes—Yes," such village, township and special districts, or any two of said districts shall thereafter be united as a special district for high

school purposes; and the judges of such election shall certify to the court of common pleas of the county in which such township is situate, the result of such election, which certificate shall be placed upon the journal of said court; whereupon said court shall appoint three judicious persons, one for one year, one for two years and one for three years, residents of said township, as the board of education of such special district for high school purposes, one member of such board of education to be elected every year [t] hereafter, to hold said office for three years, or until his successor is elected. Such board of education, when so appointed, shall have all the powers now conferred by law upon other boards of education.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 836.]

AN ACT

To authorize the city council of cities of the second class of the second grade to levy a tax and issue bonds for the purpose of constructing, widening and deepening the sewers and drains known as Steels drains, Park street and Apple street sewer or drains, Power street, South Broadway and Euclid avenue drains.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of cities of the second grade of the second class be and is hereby authorized and empowered, for the purposes herein set forth, to issue bonds upon the terms herein named, entitled as follows, and to the amount severally set forth: Park street sewer bonds, sixty-five thousand dollars; Southwestern sewerage bonds, thirty-five thousand dollars. Said Park street sewer bonds to be issued to enable the city council of said city to construct a sewer or drain, beginning at the Miami river, and running through Apple, Oak and Ford streets, and through and along the present course of what is known as the Park street sewer, Parrott street drain and Steels drains, to take the surface drainage water off of the southern and eastern parts of said city; said Southwestern sewerage bonds to be issued to enable the city council of said city to construct drains for the purpose of draining the surface water from Power street, South Broadway and Euclid avenue, and the southern and western parts of said city. The bonds heretofore rated shall be of such denomination as the city council may deem best, in any sum not in excess of the amount heretofore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding six per cent. per annum, payable semi-annually. Said bonds shall not be sold for

Dayton city council authorized to issue bonds to construct, widen and deepen certain sewers.

less than their par value, and the proceeds thereof, together with such premiums as may be derived thereby, shall be applied to no other purpose than the purposes herein mentioned. Said bonds shall be signed by the mayor and clerk of said city, and be sealed with the seal of the corporation.

Tax to re-
deem said
bonds.

SEC. 2. The council of said city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill, on the general duplicate of said city, in addition to the other taxes heretofore levied or hereafter to be levied, for the redemption of said bonds, and the payment of the interest thereon, until the said bonds and the interest thereon are paid, and said bonds redeemed as the same may become due.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 638.]

AN ACT

To amend section 6023 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section six thousand and twenty-three of the Revised Statutes of Ohio be amended to read as follows:

Inventory of
executors or
administra-
tors, and of
administra-
tors de bonis
non.

Section 6023. Every executor or administrator shall, within three months after his appointment, make and return upon oath, into court, a true inventory of all the goods, chattels, moneys, rights and credits of the deceased, which are by law to be administered, and which shall have come to his possession or knowledge, except only that an executor who is a residuary legatee, may give bond to pay all the debts and legacies of the deceased as hereinbefore provided, and he shall thereupon be excused from returning such inventory; provided, that an administrator de bonis non shall not be required to return and file an inventory, where the assets of the estate have been converted into money, unless in the opinion of the probate court the same is necessary.

Repeal.

SEC. 2. That original section 6023 of the Revised Statutes of Ohio be and the same is hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 602.]

AN ACT

To amend section 3108 of the Revised Statutes of Ohio [as amended April 14, 1884.] (O. L. 81, p. 209.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-one hundred and eight of the Revised Statutes of Ohio, as amended April 14, 1884, be so amended as to read as follows:

Section 3108. Any estate or interest, legal or equitable, in real or personal property, including rights in action, belonging to a woman at her marriage, or which may come to her during coverture, by conveyance, gift, devise or inheritance, or by purchase with her separate money or means, or due as the wages of her personal labor, or growing out of any violation of her personal rights, shall, together with the rents, incomes, issues and profits thereof, be and remain her separate property. And she may, without the consent of her husband, lease her real estate for any period not exceeding three years. This section shall not affect the estate by the curtesy of a husband in the real property of his wife after her decease; but during the life of such wife, or any heir of her body, such estate shall not be taken by any process of law for the payment of his debts, or be conveyed or incumbered by him, unless she join therein with him in the manner prescribed by law in regard to her own estate.

Separate property of wife; her real contracts; the husband's curtesy.

SEC. 2. That said section 3108 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 601.]

AN ACT

For the preservation of the health of female employes employed in manufacturing, mechanical and mercantile establishments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every person or corporation employing female employes in any manufacturing, mechanical, or mercantile establishment in this state, shall provide suitable seats for the use of the female employes so employed, and shall permit the use of such by them when they are not necessarily engaged in the active duties for which they are employed.

Regulating employment of females in certain establishments.

Penalty.

SEC. 2. Any person or corporation violating any of the provisions of this act, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 292.]

[CLEVELAND.]

AN ACT

For the incorporation of collateral loan companies.

Formation
of collateral
loan compa-
nies; their
object.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all counties, containing a city of the second grade of the first class, any number of persons not less than seven, may associate and form a collateral loan company in the manner prescribed by the Revised Statutes. The object of such association shall be to make loans upon pledges of goods and chattels of every kind; also, on mortgage on goods and chattels; it shall not do a deposit or exchange business, nor shall it make loans upon any other kind of securities than that above named.

Capital;
power to
borrow
money.

SEC. 2. The capital of said company shall be raised by subscription. It shall not exceed five hundred thousand dollars, in shares of one hundred dollars each; and no one person shall own more than one-seventh of the stock subscribed. It shall have the power to borrow on its own notes, not exceeding the amount of its capital paid in, and for periods not exceeding one year.

Board of
directors,
officers, by-
laws.

SEC. 3. The government of the company shall be in a board of seven directors, who shall be residents of the county where the association is located, five of whom shall be chosen annually by the stockholders, together with one to be appointed by the governor of the state, and one to be appointed by the mayor of the city where such company may be located, whose term of office shall also be for one year. The board thus created shall elect one of their number president, and such other officers as may be deemed necessary. Said directors may also establish such by-laws, rules and regulations for conducting the business of said company as they may deem necessary, not inconsistent with the laws of this State.

Organiza-
tion of stock-
holders.

SEC. 4. When fifty thousand dollars have been duly subscribed, and one-half of said subscribed capital has been actually paid in, the stockholders may organize, as hereinbefore provided, and proceed to transact business under the provisions of this act.

SEC. 5. When the company has disposable funds, it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered; with the exception that the company shall always discriminate in favor of small loans to the indigent. It shall loan to four-fifths of the appraised value on gold and silver plate and ware, and to two-thirds of such value on all other goods and chattels as aforesaid.

Loans; interest and other charges.

In no case shall the rate of interest charged exceed eight per cent. per annum, and any other charges, including insurance, investigation of titles, and the expense of the custody and care of all property offered as security shall not exceed seven per cent. per annum on the amount loaned.

SEC. 6. All loans shall be on a time fixed, and for a period of not over one year; and the pledger shall have the right to redeem his property pledged, at any time, within the specified period, at the rate of compensation to the time of offer to redeem.

Maturity of loans; right to redeem.

SEC. 7. If the property pledged is not redeemed within the time limited, the same shall be sold at auction, and the net surplus, after paying loan charges and expenses, shall be held one year for the owner; when, if not demanded within said year, it shall be forfeited to the company. The company shall give to each pledger, a card inscribed with the name of the company, the article or articles pledged, name of the pledger, the amount of the loan, the rate of compensation, the date when made, the date when payable, and the page of the book where recorded.

Sale of unredeemed property; proceeds; pawn tickets.

SEC. 8. The president and directors of said company shall report in writing, to the stockholders and to the governor of the state, full and accurate statistics of its business, and of its financial condition, in the month of November, in each year, and at such other times as they may be requested to do so by the governor of the state.

Reports of company's business.

SEC. 9. The stock of said company shall be transferable only at the office of said company, and on its books.

Transfers of stock.

SEC. 10. The stockholders of said corporations shall be subject to the provisions of section 3258 of the Revised Statutes of Ohio, and to all other provisions of the Revised Statutes, where applicable.

Applicability of statutes to stockholders.

SEC. 11. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 477.]

AN ACT

To amend section 3236 of the Revised Statutes of Ohio.

Articles of
incorpora-
tion: what to
contain.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3236 of the Revised Statutes of Ohio, be amended so as to read as follows:

Section 3236. Any number of persons, not less than five, a majority of whom are citizens of this state, desiring to become incorporated, shall subscribe and acknowledge, before an officer authorized to take acknowledgements of deeds, articles of incorporation, which must contain:

1. The name of the corporation, which shall begin with the word "The," and end with the word "Company," unless the organization is not for profit.

2. The place where it is to be located, or where its principal business is to be transacted.

3. The purpose for which it is formed.

4. The amount of its capital stock, if it is to have capital stock, and the number of shares into which the stock is divided.

5. Provided, any association of five or more persons, who are residents of the state of Ohio, and who are associated, not for profit, and as the principal or ruling organization over subordinate organizations, associated, not for profit, and having a definite location, or place of business, in the state of Ohio, may be incorporated, having its location or principal place of business in the state of Ohio; and without naming, in its articles of incorporation, a permanent place where it is to be located, or where its principal business is to be transacted. But such association must name, in its articles of incorporation, the place where it is to be located, or where its principal business is to be transacted, at the time of its incorporation, with the name and place of residence of its then principal officers. And when such association changes its place where located, or the place where its principal business is transacted, it shall be the duty of its principal officer, under its seal, if it has one, countersigned by the officer acting as secretary of such association, to certify to the secretary of state of Ohio, the place then selected by such association, as its location, or where its principal business is to be transacted, with the names of its principal officers, and their places of residence, which certificate the secretary of state shall record, for public use in the records of his office.

Repeal.

SEC. 2. Original section 3236 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 799.]

AN ACT

To establish a state forestry bureau.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby is established at the state university, at Columbus, Ohio, a central office for the promotion of forestry, to be entitled the state forestry bureau, which shall consist of three members, to be appointed by the governor, as a board of directors. The members of the board of directors shall be commissioned by the governor, and be duly qualified as like officers of the state; one of three directors shall serve for six years, the second for four years and the third for two years, and on the expiration of terms of service, appointments shall be made for the term of six years.

State forestry bureau; appointment and term of members.

SEC. 2. It shall be the duty of said state forestry bureau to thoroughly inquire into the character and extent of the forests of the state; to investigate the causes which are in operation to produce their waste or decay; to suggest what legislation, if any, may be necessary for the development of a rational system of forestry, adapted to the wants and conditions of this state, and with the consent of the trustees of the Ohio state university, the said directors may establish a forestry station on the grounds of said university. The directors shall select one of their number, or appoint a qualified person as secretary, to carry out the plans of the board, who shall receive such compensation for his services as shall be agreed upon by the board; provided, that all expenses incurred under this act shall not exceed the amount hereinafter provided. Said directors shall serve without compensation, but shall be allowed their necessary expenses incurred in discharge of the duties of their office.

Duties of the bureau; forestry station; appointment of secretary; expenses of bureau.

SEC. 3. This bureau shall annually make a report to the governor, which shall contain the results of the investigation, together with such other information as the board may deem necessary for the promotion of forestry in this state. Five thousand (5,000) copies of this report are to be printed by the state, two thousand (2,000) of which shall be distributed by this bureau of forestry, and the remainder by the general assembly.

Annual report.

SEC. 4. There is hereby appropriated for the ensuing year, for the maintenance of said bureau, the sum of one thousand dollars, or so much thereof as may be necessary, for the purpose of meeting the actual expenses of carrying out the provisions of this act.

Appropriation for expenses.

SEC. 5. No money shall be expended except on order of the president direct, or by and with the approval of the board.

Expenditures.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 1108.]

AN ACT

Making appropriations for the purpose of defraying the expenses incurred by the Hocking valley investigating committee.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby is appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of six hundred and eighty-three dollars and seventy-one cents (\$683.71) to pay fees and mileage of witnesses in attendance before the said Hocking valley investigating committee, and service of process, and also for services of stenographer; that the auditor of the state be and is hereby required to issue his order on the treasurer of the state for said amount, and deliver the same to the chairman of said committee; that the said amount be paid out by the chairman of said committee on proper vouchers, and that said vouchers be filed in the office of the auditor of state.

Appropriation for expenses of Hocking valley investigating committee.

SEC. 2. This act to take effect and be in force on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 376.]

AN ACT

To authorize the appointment of a commission to secure the building of a railroad switch from one of the roads entering the city of Columbus to the Columbus asylum for the insane and the institution for feeble minded youth.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of the state of Ohio, the superintendent of the Columbus asylum for the insane, and the superintendent of the institution for feeble minded youth, be and they are hereby constituted a commission, and they are hereby authorized and empowered to contract with one of the railroad companies having roads entering the city of Columbus, for the construction of a railroad switch to the said institutions; and for the purpose of purchasing right of way connected therewith, that there be appropriated from the general revenue fund of the state of Ohio two thousand dollars; and the said commissioners are hereby required to report their acts to the general assembly as soon as practicable.

Appointment of commission to secure railroad switch to certain benevolent institutions; appropriation.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 666.]

AN ACT

To amend section 640 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 640 of the Revised Statutes of Ohio be amended to read as follows:

Section 640. Upon the nomination of superintendents, boards of trustees may appoint stewards, matrons, physicians, assistant physicians, one of which may be a female, and other needed officers, and may remove such appointees at pleasure. They shall fix the compensation of each, not exceeding the maximum prescribed by law. Either of the officers named in this [section] may be suspended by the superintendent; he to report the fact and his reasons therefor immediately to the board of trustees.

Appoint-
ment of sub-
ordinates by
trustees of
benevolent
institutions.

SEC. 2. Original section 640 be and the same is hereby repealed.

Repeal.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 878.]

AN ACT

To authorize certain municipal corporations to issue bonds for the construction of main sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the third grade of the second class, for the purpose of constructing main or trunk sewers, may issue the bonds of the corporation, and borrow money for such purpose, equal in amount to the excess of the cost of such main or trunk sewers, over the amount that may be assessed upon the lots and lands bounding or abutting upon the streets, lanes, alleys, highways, market spaces, public landings, and commons, in or along which such main or trunk sewer shall pass.

Cities of
third grade,
second class,
authorized
to issue
bonds for
construction
of trunk
sewers; tax
levy to pay
said bonds.

SEC. 2. When bonds have been so issued, they shall bear the name and number of the sewer district or districts through which such main or trunk sewer is to be constructed, and annually thereafter, at the time of the annual levy of taxes of such city, until sufficient funds are provided to pay the principal and interest of such bonds, the council of such city shall levy a tax of at least one mill and not more than three mills, upon each dollar of valuation as assessed for taxation, of all the taxable

real and personal property in such district or districts, and such levy may be in excess of the limitations mentioned in section twenty-six hundred and eighty-nine of the Revised Statutes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 761.]

AN ACT

To amend section 288 and section 3630g, (80 O. L. 179,) of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 288 and the supplementary section 3630g of the Revised Statutes of Ohio be amended so as to read as follows:

Penalty for violation of statutory provisions relating to insurance companies.

Section 288. Any person who violates any of the provisions of this chapter, shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both. Any corporation, company or association violating any of the provisions of this chapter, shall be fined not more than one thousand dollars nor less than one hundred dollars, to be recovered by action in the name of the state, and on collection paid into the county treasury for the benefit of the common school fund.

Mutual protection associations and their agents; how restricted in the issue of policies—penalty; accident companies.

Section 3630g. No such corporation, company or association shall issue a certificate or policy to any person, until such person has been first subjected to a thorough medical examination by a regularly educated physician and found to be a good risk, nor to any person above the age of sixty-five years, nor under the age of fifteen years. Any trustee, officer, agent or employe of any such corporation, company or association, who shall knowingly insure or ~~cause or permit~~ to be insured any person without that person's knowledge or consent, or any fictitious person or any person over sixty-five or under fifteen years of age, or any sickly or infirm person, or who shall issue a certificate or policy of insurance for any such corporation, company or association which has not complied with the laws of this state and received from the superintendent of insurance a certificate of such compliance, or who shall knowingly violate any of the provisions of section 3630, Revised Statutes, or the sections supplementary thereto, and any physician or other person who shall knowingly aid in or abet in any manner any such trustee, officer, agent or employe in effecting such insurance, or insurance on his own life, shall be fined not more than one thousand dollars, nor less than one hundred dollars, or imprisoned not more than six months, or both. But

the provisions of this supplementary section in respect to the age and medical examination of persons to whom certificates or policies shall issue, shall not apply to such corporations, companies or associations doing a purely accident business.

SEC. 2. That said original sections 288 and 3630g are hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 17, 1895.

[House Bill No. 842.]

AN ACT

To provide for refunding at a lower rate of interest so much of the funded debt of the state as becomes payable December 31, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund of the state of Ohio be and they hereby are authorized and empowered to make and issue in due form of law, at the times and in the manner hereinafter specified, certificates of the funded debt of the state of such numbers and amount as shall be sufficient to redeem an equal number and amount of the certificates of the funded debt of the state payable on the thirty-first day of December, 1886, and thereafter redeemable at the pleasure of the state. Such certificates may be made redeemable, payable at such times after being issued not beyond the first day of January, 1917, as in the judgment of said commissioners may be most convenient and advantageous for the final redemption and payment of the principal and of the payment of the interest thereon by the state. The rate of interest, not to exceed five per cent. per annum, shall be clearly expressed on the face of each certificate. The faith of the state of Ohio is hereby irrevocably pledged that the value of the certificates of the funded debt hereby authorized to be issued, shall in no wise be impaired or diminished by any enactment or authority of this state.

Certificates authorized to be issued to redeem certain of the state funded debt; rate of interest.

SEC. 2. That the sinking fund commissioners are hereby authorized to sell and dispose of any of the bonds authorized by this act, at not less than their par value, and the proceeds arising from the sale thereof, shall be applied to the redemption of the outstanding certificates of indebtedness of the state, payable on the 31st day of December, 1886, and thereafter redeemable at the pleasure of the state; and the certificates, or the proceeds hereby authorized, shall be used for no other purpose whatsoever. The principal and interest of said certificates as a whole, or in part,

Sale of same; application of proceeds; place of payment.

shall be payable at the treasury of the state of Ohio, or at the agency of the state in the city of New York, as may be determined by the commissioners.

Place of sale; advertising for bids; exchange of new certificates for old; interest how payable.

SEC. 3. That in addition to the provisions of section 241 of the Revised Statutes, the said bonds shall be offered for sale at the office of the commissioners of the sinking fund, at Columbus, and the commissioners shall advertise for bids or proposals, for the taking thereof in the cities of Cincinnati, Cleveland, Columbus and New York, in like manner and for the same period of time as provided for in said section 241, or the commissioners of the sinking fund, if in their opinion it should be most advisable for the interest of the state, subject, however, to the approval of the governor of the state, may contract with the holder of any certificate or certificates of said funded debt of the state, payable on the thirty-first day of December, 1886, and thereafter redeemable at the pleasure of the state, for the exchange of any portion or all of the certificates of said funded debt for the certificates of the funded debt authorized by this act, and receive the surrender of the same, and in lieu thereof deliver to said holder of said certificate or certificates an equal number and amount of the certificates of the funded debt authorized by this act. And said commissioners shall make the necessary equalization, transfers, registry and cancellation, with the necessary accounts and registry of the issues and transfers, payment of interest and final payment and redemption of the principal of said certificates on their books. The interest on all such certificates issued under this act shall be made payable semi-annually in each year after the issuing thereof, until the final redemption and payment of the principal.

Debt not to be increased

SEC. 4. Nothing herein provided, however, shall be so construed as to permit any increase of the public debt.

SEC. 5. This act shall be in force and take effect from and after the date of its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 622.]

AN ACT

To amend section 6842 of the Revised Statutes of Ohio, as amended April 18, 1881.

Embezzlement by servants of private person; by officers, agents of officers, and trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6842 of the Revised Statutes of Ohio, as amended April 18, 1881, be so amended as to read as follows:

Section 6842. An officer, attorney-at-law, agent, clerk, guardian, executor, administrator, assignee in insolvency, servant or employe of any person, except apprentices and persons under the age of eighteen years, who embezzles or converts to his own use, or

fraudulently takes or makes away with, or secretes with intent to embezzle or convert to his own use, anything of value, which shall come into his possession by virtue of his employment or appointment as such officer, attorney-at-law, agent, clerk, guardian, executor, administrator, assignee in insolvency, servant or employe; and an officer elected or appointed to an office of public trust or profit in this state, and an agent, clerk, servant or employe of such officer, or of a board of such officers, who embezzles or converts to his own use or conceals with such intent, anything of value that shall come into his possession by virtue of his office or employment, is guilty of embezzlement, and shall be punished as for the larceny of the thing embezzled.

SEC. 2. Said original section 6842 as amended April 18, 1881, is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 17, 1885.

[Senate Bill No. 433.]

AN ACT

Supplementary to section 764 of the Revised Statutes of Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section seven hundred and sixty-four of the Revised Statutes of Ohio, with sectional numbering, as follows:

Section 761a. The reform school, situate in the county of Fairfield, shall hereafter be known and designated as the "Boys Industrial School."

Section 764b. All sections of the Revised Statutes now in force relating to the said reform school, or to the commitment of any person to the same, shall be held to apply to the institution under the new name and designation, as provided in the preceding section.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

• Passed April 22, 1885.

Fairfield
county re-
form school:
name chang-
ed to "Boys'
Industrial
School."

[Senate Bill No. 285.]

AN ACT

To amend section 5710 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5710 of the Revised Statutes of Ohio be amended so as to read as follows:

Assignment
of dower
when land
lies in two
or more
counties.

Section 5710. When the lands lie in several counties the petition may be filed in any county wherein a part of the estate is situated, and the court of such county shall have complete jurisdiction, and may order the whole dower of such widow to be assigned in any one or more of such counties, and out of any one or more of such tracts of land, if the same may be done without prejudice to the rights of any person claiming title to or holding a lien on such land.

SEC. 2. Said original section 5710 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Substitute for Senate Bill No. 255.]

AN ACT

To amend section 4020 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4020 of the Revised Statutes be amended so as to read as follows:

School board
to arrange
courses of
study; selec-
tion and
purchase of
text-books.

Section 4020. Each board shall determine, at a regular meeting, by an affirmative vote of a majority of all its members, the studies to be pursued, and the text-books to be used in the schools under its control, but no text-book shall be changed, nor any portion thereof altered or revised, for five years after its adoption, without the consent of three-fourths of all the members elected to the board, given at a regular meeting; and all branches shall be taught in the English language, and each board of education is authorized to purchase direct from publishers or dealers at the lowest wholesale or contract prices, such necessary school text-books and other school supplies as may be determined by the board, and furnish the same to pupils in the schools under its control at cost price, and each board of education is authorized to pay for

such necessary school text-books and other school supplies out of the contingent fund at the disposal of the board.

SEC. 2. Original section 4020 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 380.]

AN ACT

To authorize the trustees of the Cincinnati Southern Railway to expend money for terminal facilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the Cincinnati Southern Railway be and are hereby authorized to expend any part of the moneys raised by the sale of the bonds described in the first section of the act passed April 9, 1880, entitled "an act supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants," passed May 4, 1869, for the purpose of filling and improving, for the uses of said railway, any lands which the said trustees may have purchased, or may hereafter purchase or lease, within the limits of the city of Cincinnati, for the purposes of terminal facilities under the authority conferred by said act; provided that, however, before such improvements shall be made, the consent of any company or corporation which may have leased said railway, shall first be had to the appropriation of the money so borrowed, and that said company shall also, before said appropriation shall be made, waive any right it may have to any other or different use of said money than that so adopted.

Filling and improvement of lands for terminal facilities of Cincinnati Southern Railway.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 450.]

AN ACT

To amend sections 4836a, 4836b, and section 2 of an act entitled "an act supplementary to and explanatory of section 4836 of the Revised Statutes of Ohio," passed March 13, 1884 (volume 81, Ohio Laws, 45); to renumber the same, and to authorize certain counties to construct stone, gravel, or macadamized roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section forty-eight hundred and thirty-six of the Revised Statutes, with sectional numbering as follows:

Commissioners of Lucas county may order roads improved; expense how ordered to be paid.

Section 4836a. In counties containing a city of the third grade of the first class, when a petition, as provided in section forty-eight hundred and thirty-one of the Revised Statutes, shall have been presented to the county commissioners, asking that a macadamized, stone, or gravel road be constructed on the roadway of any state, county, township, or free turnpike road, or any part thereof, and the viewers and surveyor or engineer shall have reported to the commissioners, as provided in section forty-eight hundred and thirty-five, if in the opinion of the commissioners public utility requires it, they shall enter on their records an order that the improvement be made, which order shall state the kind of improvement, the width and extent of the same, the material to be used, and such pertinent description of the same as they shall deem necessary by reference to plans, profiles and specifications, or otherwise, which shall be held to include all necessary grading, drains, under-drains, ditches and culverts to the proper completion and maintenance of such road; and at the same time, said commissioners shall order that a portion of the cost and expense thereof, which shall not be less than one-third nor more than one-half of the total cost and expense thereof, shall be paid out of the proceeds of any levy or levies upon the grand duplicate of the county authorized by section 4836a of this act; and shall also order that the balance of said cost and expense shall be assessed upon and collected from the owners of the lots and lands, and from the lots and lands benefited thereby, in proportion to the benefit to be derived therefrom by said lots and lands. Said order shall also state the lands which shall be subject to be assessed for the cost and expense of said improvement, and whether the estimated assessment therefor shall be made before the improvement is commenced, or after the same is completed.

Appointment and removal of engineer; plans, profiles, etc.; letting of the work.

Section 4836b. After making such order for an improvement, the commissioners shall appoint a competent engineer to superintend the performance and completion of the work, who shall, under the directions and with the approval of said commissioners, prepare and file the necessary plans, profiles and specifications of the work. After such plans and specifications as the commissioners deem necessary are adopted, the work shall be publicly let by the county commissioners to the lowest responsible bidder, who shall enter into bond with sufficient sureties, and in such amount as the commissioners shall approve and determine, conditioned for the faithful performance of said work. Notice of such letting

shall first be published for at least four weeks in some newspaper printed in the county and of general circulation therein, stating the nature and extent of the work and the time when said letting will be made; or, if sealed bids are required, when the same will be opened. The commissioners may let the work as a whole, or in convenient sections, as they may determine. The commissioners may require a bond from each bidder in such sums as they may determine, with sureties to their approval, conditioned that if the contract be awarded on such bid, the bidder will enter into the contract and execute the bond, with approved sureties, for the faithful performance of the contract. The county commissioners may for cause remove the engineer herein provided for at any time, and appoint another in his place. And they may, in their discretion, if in their judgment no reasonable bid is made for said work, refuse to enter into such contract, but readvertise the same.

Section 4836c. The said commissioners shall, either before the said improvement is commenced or after the same is completed, as they shall have determined at the time of ordering the improvement, appoint three disinterested freeholders of the county, resident therein, to make, upon actual view, and to report to said commissioners, an estimated assessment of the proportion of the cost and expense aforesaid upon the lots and lands to be charged therewith, or upon such of the lots and lands included in the descriptions and boundaries aforesaid, as in their judgment should be assessed, in proportion as nearly as may be to the benefits which may result from said improvement to the lots or lands so assessed, which assessment shall be filed with the county commissioners and kept in the auditor's office for public inspection. Before adopting the assessment so made and reported, the said commissioners shall publish notice for three weeks consecutively, in some newspaper of general circulation in the county, that such assessment has been made, and that the same is on file in the office of the auditor for inspection; and if no objections are filed thereto within two weeks after the expiration of said notice, the commissioners may confirm the same. If the owner of any property assessed objects to the assessment so made, he shall file his objections in writing with the said commissioners within two weeks after the expiration of the notice aforesaid; and thereupon the commissioners shall appoint three other disinterested freeholders, to act as an equalizing board, who shall meet at the county auditor's office at a time to be fixed by the county commissioners, with power to adjourn from time to time, who shall hear and determine all objections to said assessment, equalize the same, or approve the assessment already made, as they shall deem just. They shall report their action to said commissioners, who shall have power to confirm the same, or to set the same aside and cause a new equalizing board to be appointed, with like powers and qualifications. When said assessment is confirmed by the county commissioners, the same shall be final. The members of said assessing and equalizing boards shall, before entering upon their duties, take an oath before a proper officer to faithfully, honestly and impartially discharge their duties in making or equalizing said assessment, and in either case a majority of the board shall have power to deter-

Estimated
assessment
of expenses
objections
thereto;
equalizing
board, its
powers and
duties; as-
sessment
of life es-
tates.

mine any question or matter before them. The equalizing board, or any of its members, shall have power to administer oaths to witnesses, and said board shall hear any testimony for or against the parties filing exceptions as aforesaid. If any of the lands to be assessed are subject to a life estate, the assessment made thereon shall be apportioned between the owner of the life estate and the owner of the fee in proportion to the relative value of their respective estates, to be ascertained upon the principles applicable to life annuities.

Records and accounts; filing of profiles, plats, etc.; expenditure of money.

Section 4836d. The commissioners shall cause to be kept by the county auditor a full record of all the proceedings herein provided for, together with accurate accounts of receipts and expenditures of money, under the provisions of this act; and all profiles, plats, and specifications shall be filed and kept in the office of the county auditor; and no money shall be drawn from the treasury belonging to the fund raised under the provisions of this act, except to pay liabilities already accrued, and then only in pursuance of orders caused by the commissioners while in session as a board, to be entered upon the record of their proceedings, and by orders drawn by the county auditor upon the county treasurer in favor of the person to whom such money is due.

When certain provisions shall not apply to improvements made under this act.

Section 4836e. Whenever not less than one-third of the cost and expense of such improvement is by the commissioners ordered to be paid by levy upon the grand duplicate of the county as provided in this act, sections forty-eight hundred and thirty-seven, forty-eight hundred and thirty-nine, forty-eight hundred and forty, forty-eight hundred and forty-one, forty-eight hundred and forty-two, forty-eight hundred and forty-three, forty eight hundred and forty-four, and all the prohibitions of forty-eight hundred and thirty-six against the commissioners making an order for an improvement until a majority of the resident land-holders of the county, whose lands are reported as benefited and ought to be assessed, subscribe the petition therefor, shall have no force or effect in such county as to improvements made or ordered under the provisions of this act, but said commissioners may proceed to order and cause said improvement to be made without other petition than that provided for in section forty-eight hundred and thirty-one; and the letting of the work, the performance of the same, and the making and confirming the assessment therefor, shall be under the provisions of this act.

General tax levies for construction and repair of improved roads; proceeds of levies.

Section 4836f. For the purpose of providing by general taxation a fund, out of which not less than one-third of the cost and expense of all improvements made under the provisions of this act can be paid, the commissioners of such county are hereby authorized to levy upon the grand duplicate of the county, not exceeding seven-tenths of one mill in any one year upon each dollar of the valuation of the taxable property in such county. And said commissioners shall at all times cause all necessary repairs to be made on such roads already constructed, or hereafter to be constructed or improved for their proper maintenance; and for such purpose may and they are hereby authorized to levy a tax upon the grand duplicate of the county, not exceeding one-tenth of one mill in any one year upon each dollar of the valuation of taxable property in such county. And said respective levies shall be in

addition to all other levies authorized by law, notwithstanding any limitation upon the aggregate amount of such levies now in force. The proceeds of the levies hereby authorized to be made, shall be applied and used by the county commissioners in the construction and repair of such macadamized, stone, and gravel roads, as the case may be, and for no other purpose, and this fund shall not be subject to distribution to the townships, but shall be expended under the direct orders and supervision of the county commissioners. All the proceeds of such levies, and the sale of any bonds under the provisions of section forty-eight hundred and forty-six, shall be placed to the credit of a fund to be called the "Stone road building fund," out of which shall be paid all the cost and expenses of said improvement, except the expense of the preliminary view and survey and the fees of the auditor and commissioners, but the auditor shall keep a separate account of each different improvement in a book to be kept for that purpose.

The provisions of "an act to authorize certain cities to build bridges and to issue bonds therefor," passed March 24, 1883, (80 Ohio Laws, page 73), requiring all levies upon the property within any city of the third grade of the first class, made by the county commissioners for road purposes, to be paid into the treasury of said city, shall in no wise conflict with the provisions of this act, and shall not be applicable to the levies specifically authorized herein, the proceeds of which are to be applied and used by the county commissioners in the construction and repair of such roads.

SEC. 2. Except as otherwise provided in this act, and so far as the same are applicable, all the provisions of chapter eight, title seven, of the Revised Statutes, regulating two-mile assessment pikes, shall remain in full force and applicable to improvements made under this act, but where the commissioners order an improvement under this act, all the provisions of said chapter and title inconsistent with the special provisions herein contained, are declared and shall be held inapplicable thereto.

SEC. 3. That the act entitled "an act supplementary to and explanatory of section 4836 of the Revised Statutes of Ohio," passed March 13, 1884, (81 Ohio Laws, 45), be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

Applicability of statutory provisions to improvements under this act.

Repeal.

[Senate Bill No. 322.]

AN ACT

To amend section 2669 of the Revised Statutes, as amended March 19, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2669 of the Revised Statutes, as amended March 19, 1880, be so amended as to read as follows:

Municipal
licenses to
peddlers,
showmen,
auctioneers,
etc. !

Section 2669. The council of any city or village may provide by ordinance for licensing all exhibitors of shows or performances of any kind, not prohibited by law, hawkers, peddlers, auctioneers of horses and other animals on the highways or public grounds of the corporation, venders of gunpowder and other explosives, taverns and houses of public entertainment, and hucksters in the public streets or markets, and, in granting such license, may exact and receive such sum of money as it may think reasonable; but nothing in this section shall be construed to authorize any municipal corporation to require of the owner of any product of his own raising, or the manufacturer of any article manufactured by him in the State, license to vend or sell in any way, by himself or agent, any such article or product. Provided, that in cities and villages, the council may confer upon, vest in and delegate to the mayor of such city or village, the authority to grant and issue licenses and revoke the same. Provided further, that nothing herein contained shall be construed to limit the power conferred upon cities and villages in section 1692 of said Revised Statutes.

Repeal.

SEC. 2. That section 2669, as amended March 19, 1880, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 788.]

AN ACT

To amend section 844 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 844 of the Revised Statutes of Ohio be amended to read as follows:

Bond of
county com-
missioners.

Section 844. Each commissioner, before entering upon the discharge of his duties, shall give bond to the state in a sum not less than five thousand dollars, with two or more good and sufficient sureties, being approved by the probate judge of the county, which bond shall be conditioned for the faithful discharge of his

official duties, and for the payment of any loss or damage that the county may sustain by reason of his failure therein, and with his oath of office endorsed thereon, and the approval aforesaid, shall be deposited with the treasurer of the county; and such surety may be discharged in the same manner as already provided for the release of sureties of guardians in section 6273 of the Revised Statutes of Ohio.

SEC. 2. The original section 844 be and the same is hereby **Repeal.** repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 453.]

AN ACT

To amend sections 7147 and 7161 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 7147 and 7161 of the Revised Statutes of Ohio, be amended so as to read as follows:

Section 7147. When the accused is brought before the magistrate, and there is no plea of guilty, he shall, as soon as may be, in the presence of the accused, inquire into the complaint; and if it appear that an offence has been committed, and that there is probable cause to believe the prisoner guilty, he shall order him to enter into a recognizance, with good and sufficient surety, in such an amount as he may deem reasonable, for his appearance at the proper time, before the proper court; otherwise, he shall discharge him from custody; but if the offense charged is a misdemeanor, and the accused, in a writing subscribed by him, and filed before or during the examination, waive a jury, and submit to be tried by the magistrate, he may render final judgment; and in all counties containing a city of the second grade of the first class, whenever a justice of the peace recognizes or commits the accused for the commission of a misdemeanor within the limits of said city or within four miles thereof, he shall recognize or commit him to appear before the police court of such city.

Section 7161. If the offense for which the prisoner is held to answer is bailable, and the prisoner offer sufficient bail, a recognizance shall be taken for his appearance to answer the charge before the court of common pleas, on the first day of the next term thereof, or before the probate court, if that court has jurisdiction of the offence, on the first day of the next term thereof for the trial of criminal cases, or before the police court in cities of the second grade of the first class when he is held for a misde-

Examina-
tion of accus-
ed person
when there
is no plea of
guilty.

In Clevel-
land.

Recogni-
zance, its
conditions,
etc.

meanor, charged as committed within such city, or within four miles of the limits thereof, and not depart without leave, or if the court of common pleas or probate court before which he is held to appear, is at the time in session, or if he be held to answer before said police court, the recognizance shall require the accused to appear forthwith before such court; but no recognizance requiring the accused to appear at the next term of said court of common pleas, or probate court shall be rendered invalid by the fact that said court is in session.

Repeal.

SEC. 2. Said original sections 7147 and 7161 are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after the fifteenth day of April, 1885.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 75.]

AN ACT

To amend sections 3380, 3381 and 3383 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3380, 3381 and 3383 of the Revised Statutes of Ohio be amended so as to read as follows:

Consolidation of domestic with foreign railway corporation.

Section 3380. A company organized in this state for the purpose of constructing, owning and operating a line of railway, or whose line of road is made or is in process of construction, to the boundary line of the state, or to any point either in or out of the state, may consolidate its capital stock with the capital stock of any company in an adjoining state, organized for a like purpose, and whose line of road has been projected, constructed or is in process of construction to the same point where the several roads so united and constructed will form a continuous line for the passage of cars; and roads running or to be constructed to the bank of a river which is not bridged, shall be held to be continuous under this section.

Proceedings to effect such consolidation.

Section 3381. The consolidations shall be made under the conditions and restrictions following:

1. The directors of the several companies may enter into a joint agreement, under the corporate seal of each company, for the consolidation of the companies, and prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new company, the number of directors and other officers thereof and their places of residence, the amount of the capital stock of the new company agreed upon, the number of shares of capital stock, the amount of each share, and the manner

of converting the capital stock of each of the constituent companies into that of the new company, with such other details as they may deem necessary to perfect the new organization and the consolidation of the companies.

2. The agreement shall be submitted to the stockholders of each of the companies, at a meeting thereof called separately for the purpose of taking the same into consideration, due notice of the time and place of holding such meeting and the object thereof shall be given by written or printed notices addressed to each of the persons in whose names the capital stock of the companies stands on the books thereof, and also by a like notice published in some newspaper in the city or town where such company has its principal office or place of business; provided, that in case all the stockholders are present at such meeting, in person or by proxy, such notice may be waived in writing. At the meeting of stockholders, the agreement of the directors shall be considered, and a vote by ballot taken for the adoption or rejection of the same; each share of stock on which has been paid all the installments called for by the board of directors, entitling the holder thereof to one vote; the ballots shall be cast in person or by proxy, and if two-thirds of all the votes cast at the meeting be for the adoption of the agreement, that fact shall be certified thereon by the secretary of each of the companies, and the agreement so adopted, or a certified copy thereof, shall be filed in the office of the secretary of state. And all consolidation agreements heretofore entered into and ratified by such companies, substantially in manner as in this section prescribed, shall be as valid as if entered into and ratified by virtue of this section.

Section 3333. The stockholders at the meeting called to take into consideration the agreement, shall, after the adoption of the same, appoint a time and place for the election of the directors and other officers of the new company, notice of which shall be given by the secretary of each of the companies in some newspaper printed or of general circulation, at the place of the principal office of each company, at least three weeks previous thereto; provided, that if at such meeting all the stockholders of the constituent companies are present, either in person or by proxy, they may, in writing or by resolution, waive such notice, and consent to hold such meeting and election at any time, which election shall be conducted in such manner as may be prescribed by the stockholders at such meeting.

Election of
directors of
consolidated
company.

SEC. 2. Said original sections 3380, 3381 and 3383 of the Revised Statutes of Ohio are hereby repealed.

Repeal.

SEC. 3. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 791.]

AN ACT

Supplementary to section 1343, Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section 1343 of the Revised Statutes, in the sectional numbering as herein provided :

Employment in certain counties of persons to discover omitted taxes; compensation.

Section 1343a. That the county commissioners, county auditor and county treasurer, or a majority of said officers of any county in this state containing a city of the first class, and in any county containing a city of the first grade of the second class, shall have full and final power to employ any person or persons to ascertain and furnish to the county auditor the facts and evidence necessary to authorize him to subject to taxation any property improperly omitted from the tax duplicate; no payment for such services to be made except in accordance with the terms of an agreement between the said officers, or a majority of them, and such person or persons; and such payment shall be made to such person or persons only out of money actually paid into the county treasury as taxes on such omitted property; and such compensation shall be apportioned ratably by the county auditor among all the funds entitled to share in the distribution of such taxes, including the state itself, as well as the counties, townships, cities, villages, school districts, and other organizations entitled thereto.

Section 1343b. Any assessor in such counties who shall willfully omit to return any property for taxation, or any auditor who shall willfully omit any property from the tax duplicate that is liable to taxation, or any persons conspiring to wrongfully increase the number or amount of any tax omission, shall be deemed guilty of a misdemeanor, and, on conviction thereof, before any court of competent jurisdiction, shall be sentenced by the said court to pay a fine not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or both, at the discretion of the court; and it is hereby made the duty of the prosecuting attorney of the county to enforce the provisions of this section.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 23, 1885.

[House Bill No. 620.]

AN ACT

To authorize certain cities hereinafter named, to construct the improvements hereinafter mentioned, and to issue bonds for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That city councils of any city of the second class, third grade, which had by the last federal census a population of nineteen thousand, and not exceeding twenty thousand, and cities which had by the last federal census a population of twenty thousand, and not exceeding thirty thousand five hundred, and which have not been advanced by law to a city of the second class, second grade, shall have power, whenever the council of any such city deem it necessary and expedient, to make any one, or all of the improvements provided for in sub-division five, chapter four, division seven, title twelve, Revised Statutes of Ohio, and may make any or all of said improvements at one time or separately, and at different times, as may, in the judgment of council, be most conducive to the interest of the tax-payers and inhabitants of the corporation.

Certain cities authorized to make sewer improvements.

SEC. 2. For the purpose of providing the means for paying the costs and expenses of making any one or all of the improvements authorized by the first section of this act, the council of such municipal corporation shall have power to issue its bonds for any amount not exceeding in the aggregate one hundred thousand dollars, which bonds may be made to run for any length of time, not exceeding thirty years, and at a rate of interest not exceeding six per cent., payable semi-annually; said bonds may be issued at such time or times, and in such amount or amounts as the progress of the work and convenience of the corporation may require, and shall not be sold or negotiated for less than par, the proceeds thereof to be applied to the payment of the costs and expenses of such work, and to no other purpose whatever.

Issue of bonds for such improvements.

SEC. 3. For the purpose of more fully carrying out the provisions of this act, the council of such municipal corporation, and the clerk thereof, are not required, in the execution of the same, to be governed by section two thousand seven hundred and two of said Revised Statutes of Ohio.

Applicability of section 2702 Revised Statutes.

SEC. 4. If any bonds of such city be issued as hereinbefore provided, it shall be the duty of the council of such municipal corporation, annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of the corporation sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due; provided, that when such corporation is divided into sewer districts, the council, instead of assessing and levying such tax upon the entire taxable property of the corporation, may assess and levy the same by districts, fixing such rates for each district as the council may deem proper, or may so levy and assess any part of such tax by districts, and the residue upon the entire taxable property of the corporation; or may levy and

Tax levy to pay said bonds and interest; levy by districts; district sewer fund.

assess such tax, or any part thereof upon any one or more of such districts, exempting the remaining districts from such taxation. Whenever such tax is assessed and levied by districts, or upon any one or more districts, the money thereby realized from each district shall constitute a separate fund, to be applied only for sewerage in the district from which it is derived, and to no other purpose whatever.

Assessment
on property
specially
benefited.

SEC. 5. The council of such municipal corporation may pay the entire costs and expenses of any such improvement or improvements out of the corporation or district fund, as the case may be, raised as hereinbefore provided; but in no case shall the council, either before such improvement or improvements shall have been commenced, or after the same are completed, fail to assess and collect the costs and expenses thereof, upon the property thereby specially benefited; such assessment to be in any one of the modes, and to the extent authorized by, and to be collected as provided in said sub-division five, chapter four, division seven, title twelve of said Revised Statutes, except so far as the same is modified by section four of this act; and when any such special assessment has been placed upon any property, it shall, when collected, be paid into the district fund authorized to be created by this act, of the district wherein such property is situated, or if no such fund has been provided for the district, then into the corporation fund authorized by this act to be created; provided, however, that when a fund is constituted for any sewer district, as aforesaid, such improvement or improvements may, if the council deem the same expedient, be made and paid for out of said district fund, without any of the assessments in this section provided for, upon the property in such districts specially benefited by such improvement or improvements.

Applicabil-
ity of statu-
tory provis-
ions.

SEC. 6. For the purpose of more fully carrying out the provisions of this act, the council of such municipal corporation is not required to be governed, in the execution thereof, by section two thousand six hundred and eighty-three, nor by section two thousand three hundred and seventy-five of said Revised Statutes; and in all proceedings in making any or all such improvements, where the same are not provided for by this act, such proceedings shall conform to the other laws of the state of Ohio applicable thereto.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 25, 1885.

[Senate Bill No. 360.]

AN ACT

To amend sections twenty-two hundred and seventy (2270) and twenty-two hundred and seventy-two (2272) of chapter 4, division 7, title 12 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections twenty-two hundred and seventy (2270) and twenty-two hundred and seventy-two (2272) of the Revised Statutes of Ohio be amended so as to read as follows:

Section 2270. In municipal corporations other than cities of the first class, or in incorporated villages in counties containing a city of the first grade of the first class, the tax or assessment specially levied and assessed on any lot or land, for any improvement, shall in no case, except as provided in section twenty-two hundred and seventy-two, amount to more than twenty-five per centum of the value of the property as assessed for taxation, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; and, except as provided in section twenty-two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one-fifteenth of the value of the property on which the assessment is made, as valued on the county tax-list for taxation.

Restrictions on special taxation or assessments in certain municipalities.

Section 2272. In cities of the first class, or in corporations in counties containing a city of the first or second grade of the first class, when a petition subscribed by three-fourths in interest of the owners of property abutting upon any street or highway of any description between designated points, is regularly presented to the council for the purpose, the cost of any improvement of such street or highway may be assessed and collected in equal annual installments, proportioned to the whole assessment, in a manner to be indicated in the petition, or if not so indicated, then in the manner which may be fixed by council; and the interest on any bonds issued by the corporation for the improvements, together with the annual installments herein provided for, shall be assessed upon the property so improved; but when the lot or land of one who did not subscribe the petition is assessed, such assessment shall not exceed twenty-five per centum of the value of his lot or land after the improvement is made; provided, that whenever in this title the petition of the owners of property is required, a married woman shall have the same authority to sign that she would have if unmarried; and the guardians of infants or insane persons may sign such petition on behalf of their wards only when expressly authorized by the probate court on good cause shown.

Such restrictions in certain municipalities when three-fourths in interest petition.

Who shall petition for persons under disabilities.

SEC. 2. That said original sections 2270 and 2272 be and the same are hereby repealed.

Repeal.

SEC. 3. This act shall be in force and take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 25, 1885.

[House Bill No. 882.]

AN ACT

Supplementary to section 2293, Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2293 of the Revised Statutes, with sectional numbering as herein provided.

Authorizing
the improve-
ment of
streets in
Cincinnati.

Estimate of
the cost.

Notice of
improve-
ment;
change of
grades; sewer,
gas, and
water con-
nections; re-
constructing
curb.

Claims for
damages.

Restrictions
as to con-
tracts.

Powers and
duties of and
rules govern-
ing the
board of
public works

Section 2293a. In cities of the first grade of the first class, the board of public works of any such city shall have authority to cause any of the streets, avenues or highways of said city to be improved with granite block, asphalt pavement or other material, and the method of procedure in such cases shall be as follows:

1. A careful estimate shall be made of the cost of said work, including the material to be furnished therefor.

2. Said board of public works shall declare by resolution, the necessity of such improvements, and give notice thereof, as required by council in section 2304, and said board shall carry out and be governed by all the provisions of said section 2304, and any duty required therein to be done or performed by council, shall devolve upon the said board of public works. Said board of public works shall have full and final authority in any such improvement to make such change or changes in the grade of any streets, avenues or highways to be so improved as it may deem necessary, to best conform the same to such contemplated improvement, and such change of grade shall be published with the advertisement provided for in said section 2304; provided, however, that said board of public works, before declaring the necessity of any such improvement, shall have full authority to have all necessary sewer, water, and gas connections laid from the main line or pipe in said street, avenue or highway to the curbstone, and may include in said improvement such reconstruction of the curb as it may deem necessary.

3. The owner of a lot or of land bounding or abutting upon any such improvement, shall file his claim for damages as provided in section 2315, or be barred as therein provided from filing a claim or from receiving damages, and all other questions pertaining to such claims for damages and assessments of, or compensation for the same, shall be governed by the provisions of law now applicable to like claims, except that in all cases concerning the class of improvements herein provided for, the board of public works shall take the place and authority therein of council.

4. The board of public works shall enter into no contract for the doing of such work or the furnishing of such materials, unless the money to pay the city's proportion thereof is in the proper fund as hereinafter provided, and shall, in this respect, act in strict accordance with the provisions of section 2702.

5. In making such improvements the board of public works shall be governed by the provisions of section 2303, except that the said board of public works shall have and exercise all the powers and perform all the duties of council, in the prosecution of said work, or furnishing materials therefor, the making and levying assessments therefor, the enforcement and collection

thereof, the certificates of any unpaid assessment to the county auditor to be placed upon the tax list, the issuing of any bonds therefor, and sale thereof, and payment to the contractor; said board of public works shall have and exercise all the powers now vested in, and shall be subject to all the restrictions and regulations now imposed upon said board of public works in cases where any improvement has been ordered by council, except as herein altered or amended, it being the intention and meaning hereof that in all such improvements it shall not be necessary to have the action or concurrence of council in any of said proceedings.

6. All material necessary to be removed from any street, avenue or highway where such improvement is to be made, shall belong to the city, and shall be taken up and removed from the line of the work and be deposited where the board of public works may direct.

Material to be removed.

7. One-half of the cost of any such improvement shall be paid by the city at large, upon order of said board of public works, out of the fund herein provided for such improvements. Said city shall be considered a property owner as to any property belonging to the corporation abutting upon the street, avenue or highway so improved; provided, however, that the one-half of the cost of any such improvement so paid by the city at large, shall be held to include all other costs of such improvement required to be paid by the corporation, including the cost as to intersection. One-half of the entire cost of such improvement shall be assessed upon the parcels of land abounding or abutting upon the improvement, in the manner provided by law.

Cost of such improvements how paid. City realty.

8. In order to provide a fund for carrying on said improvements and paying so much of the cost thereof as is herein provided to be paid by the city at large, it shall be lawful for said board of public works to issue bonds in an amount not to exceed the sum of \$2,000,000 in the name of said city, under the corporate seal thereof; said bonds shall be made payable in not less than ten years and not more than twenty years from the date of their issue, and bear interest at a rate not exceeding five per centum per annum; said bonds shall be signed by the president of said board, and attested by the city comptroller, and shall be secured by the pledge of the faith of the city and a tax, which it shall be the duty of the council of said city annually to levy upon all the taxable property of said city, and certify the same to the county auditor, upon a certificate to that effect from the said board of public works as to the amount necessary to pay the interest thereon and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Issue of street improvement bonds; levy of tax for interest and sinking fund.

9. Said board of public works shall receive bids for said bonds after advertising the same for sale, once per week for four consecutive weeks, on the same day of the week, in some newspaper of general circulation in said city, and shall sell the same for not less than the par value thereof, with accrued interest, to the highest bidder. The money arising from the sale of said bonds shall be

Sale of said bonds; "the pavement fund."

placed in a fund to be called "the pavement fund;" a careful account of the condition of said fund shall be separately kept by the comptroller of said city.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 25, 1885.

[House Bill No. 1122.]

AN ACT

To amend section 2 of an act passed March 20, A.D. 1885, entitled an act to authorize the council of certain cities to issue bonds for the purpose of erecting a market house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of said entitled act be so amended as to read as follows:

Application
of proceeds
of Spring-
field market
house
bonds.

Section 2. The proceeds of said bonds, or so much thereof as may be necessary, shall be used for the purpose of purchasing a suitable site, and for the erection of a market house thereon, containing city offices, public library rooms, and such other office rooms as council may direct, but the proceeds of said bonds shall not be used or applied for any other purpose or purposes whatever, except as herein specified.

SEC. 2. Section two of said entitled act be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 27, 1885.

[House Bill No. 1070.]

AN ACT

To authorize the city of Cincinnati to issue bonds for the purpose[s] herein specified.

Cincinnati
board of
public works
authorized
to borrow
money for
various pur-
poses and to
issue bonds
therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works of any city of the first grade of the first class, be and is hereby authorized to borrow in behalf thereof, the following sums, for the purposes hereinafter specified: The sum of nineteen thousand nine hundred and eighteen dollars, to pay deficiencies existing in the board of health of said city. The sum of seventy-eight thousand dollars, to pay deficiencies existing in the general fund of said city, and the sum of seventy thousand dollars, to be applied to the street cleaning fund of said city.

SEC. 2. For the payment of said loans the board of public works of said city shall issue the bonds of said city, signed by the president of said board and countersigned by the comptroller of said city, in a sum not exceeding in the aggregate one hundred and sixty-seven thousand nine hundred and eighteen dollars. Said bonds shall bear interest at not more than four and one-half per centum per annum, and shall be payable in not less than ten and not more than thirty years, at the option of said board of public works; said bonds to be of such denomination as said board may direct, and shall be sold at not less than their par value, and said sale shall be according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 705.]

AN ACT

To prevent the manufacture and sale as butter of oleomargarine, and other similar substances.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no person shall manufacture out of any oleaginous substance, or substances, or any compound of the same, other than that produced from unadulterated milk, or cream from the same, any article designed to be sold as butter or cheese produced from pure, unadulterated milk, or cream of the same, or shall sell, or offer for sale, the same as an article of food. This provision shall not apply to pure skim milk cheese made from pure skim milk. Whoever violates the provisions of this act, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or not less than three months' or more than six months' imprisonment in the county jail, or both, for the first offense; and by such imprisonment for one year for each subsequent offense. But nothing in this act shall be construed so as to prevent the manufacture and sale of oleomargarine, when manufactured from beef-suet and milk.

Forbidding
the manu-
facture and
sale as but-
ter of oleo-
margarine
and similar
substances.

SEC. 2. This act shall take effect and be in force twenty days after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 844.]

AN ACT

To amend section 2774, Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2774, Revised Statutes of Ohio, be amended so as to read as follows:

Apportion-
ment of val-
uation of
railway
property.

Section 2774. The value of such property, moneys and credits of any railroad company, as found and determined by such board, shall be apportioned by said board among the several counties through which such road, or any part thereof, runs, so that to each county and to each city, village, township and district, or part thereof therein, shall be apportioned such part thereof as shall equalize the relative value of the real estate, structures and stationary personal property of such company therein, in proportion to the whole value of the real estate, structures and stationary personal property of such railroad company in this state; and so that the rolling stock, main track, road bed, supplies, moneys and credits of such company shall be apportioned in the same proportion that the length of such road in said county bears to the entire length thereof in all said counties or county, and to each city, village and district, or any part thereof therein; provided, that if the line of any railroad company is divided into separate divisions or branches, so much of the rolling stock of such company as belongs to or is used solely upon any one of such divisions or branches shall be apportioned in the same manner to the county or counties, and to each city, village and district, or any part thereof therein through which such branch or division runs; and the board shall certify to the county auditor of each county, and to each city, incorporated village, township and district, or any part thereof therein interested, the amount apportioned to his county, and the board shall make and forward a like certificate, together with all the reports of the various railroad officers, and other papers and evidence which formed the basis of their valuation, to the auditor of state, for the use of the state board of equalization of railroad property. It shall be the duty of the county auditor, upon receiving the certificate aforesaid, to apportion the amount therein stated to the cities, villages, townships, districts, or parts thereof; but the auditor shall not put the same on the tax-list until he shall have been advised of the action of said state authority, when the proper amounts shall be entered on the tax-lists.

Repeal.

SEC. 2. That said section 2774 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 589.]

AN ACT

To amend section 6835 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand eight hundred and thirty-five of the Revised Statutes of Ohio be amended so as to read as follows:

Section 6835. Whoever, in the night season, maliciously and forcibly breaks and enters, or attempts to break and enter, any dwelling-house, kitchen, smoke-house, shop, office, store-house, warehouse, malt-house, still-house, mill, pottery, factory, water-craft, school-house, church or meeting-house, barn or stable, railroad car, car factory, station house, hall, or any other building, with intent to commit a felony, or with intent to steal property of any value, shall be imprisoned in the penitentiary not more than ten years nor less than one year; and if any person shall have, or keep in his possession, any tools, implements, or other things used by burglars for house-breaking, forcing doors, windows, locks, or buildings, or other places where goods, wares, merchandise or money is kept, with the intention of using such tools or implements burglariously, shall be confined in the penitentiary not more than five years nor less than one year.

Burglary;
attempts at
burglary;
having pos-
session of
burglar's
tools.

SEC. 2. That said original section 6835 is hereby repealed, and this act shall take effect and be in force from and after its passage.

Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 523]

AN ACT

Amendatory and supplementary to section 6986 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6986 of the Revised Statutes of Ohio be amended and supplemented so as to read as follows, with sectional numberings 6986, 6986aa, 6986bb and 6986c:

Section 6986. That no minor under the age of twelve years shall be employed in any factory, workshop or establishment wherein the manufacture of any goods of any kind is carried on.

Section 6986aa. No minor under the age of eighteen years shall be employed in any of the places named for a longer period than ten hours a day, and in no case shall the hours of labor exceed sixty in one week; and every employer shall post, in a conspicuous place in every room where such persons are employed, a

Forbidding
the employ-
ment of min-
ors under
the age of
twelve in
manufactur-
ies.

Hours of la-
bor for min-
ors under
the age of
eighteen.

printed notice, stating the number of hours required of them in each day of the week.

Penalty for violations of this act.

Section 6986bb. Any person or corporation who shall employ any person contrary to the provisions of this act, or who shall violate any of the provisions of this act, shall, upon conviction thereof, be fined in any sum not less than fifty nor more than one hundred dollars, or imprisoned not less than thirty nor more than ninety days.

Duty of inspector of shops; fines collected.

Section 6986c. It shall be the duty of the inspector of shops and factories to prosecute all violations of this act, when the same shall come to his knowledge, in any court of competent jurisdiction. All fines collected under this act shall inure to the benefit of the school fund of the district where the offense was committed.

SEC. 2. Said original section 6986 is hereby repealed, and this act shall take effect and be in force in sixty days after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[Senate Bill No. 422.]

AN ACT

To create a commission to carry out the provisions of the senate joint resolution No. 60, relative to the erection of a statue of William Allen.

Erection of a statue of William Allen in National House of Representatives.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a commission is hereby created to carry out the provisions and accomplish the objects of senate joint resolution No. 60, and the report of the select committee appointed thereunder. Said commission shall consist of the same persons heretofore appointed under the provisions of said senate joint resolution No. 60.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 887.]

AN ACT

To prevent fraud in canning fruit and vegetables.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall hereafter be unlawful in this state for any packer or dealer in preserved or canned fruits and vegetables, or other articles of food, to offer such canned articles for sale after January 1, 1886, with the exception of goods brought from foreign countries or packed prior to the passage of this act, unless such articles bear a mark to indicate the grade or quality, together with the name and address of such firm, person or corporation that pack the same or dealer who sells the same.

Forbidding
the sale of
unlabeled
canned
fruits and
vegetables.

SEC. 2. That all soaked goods, or goods put up from products dried before canning, shall be plainly branded on face of the label, in letters not less than one-half inch high and three-eighths inch wide, of solid and legible type, the word "soaked;" and all cans or jars containing maple syrup or molasses shall have the name and address of the person, firm or corporation who cans the same, together with the name and quality of the syrup imprinted in the tin or blown in the glass, and the letters shall be of the size provided in this section.

Labeling of
"soaked"
goods and
cans of ma-
ple molasses

SEC. 3. Any person, firm, or corporation who shall falsely stamp or label such cans or jars containing preserved fruit or food of any kind, or knowingly permit such false stamping or labeling, and any person, firm or corporation who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and punished with a fine not less than \$50 in the case of vendors, and in the case of manufacturers, and those falsely or fraudulently stamping or labeling such cans or jars, a fine of not less than \$500 nor more than \$1,000; and it shall be the duty of any board of health in this state, cognizant of any violation of this act, to prosecute any person, firm or corporation which it has reason to believe has violated any of the provisions of this act, and after deducting the costs of trial and conviction, to retain for the use of such board the balance of the fine or fines recovered.

False or
fraudulent
stamps or
labels, pen-
alty for mak-
ing; duty of
board of
health.

SEC. 4. This act shall take effect January 1, 1886.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 898.]

AN ACT

To amend section 4462 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand four hundred and sixty-two of the Revised Statutes of Ohio be amended so as to read as follows:

Exceptions before commissioners in proceedings to establish a county ditch.

Section 4462. A person or corporation, party to the proceeding, may file exceptions to the finding of the commissioners that the improvement is necessary, or will be conducive to the public health, convenience or welfare, and that the line described is the best route, or to the apportionment, or to any claim for compensation or damages, at any time before the time set for the final hearing of the report and apportionment. The commissioners may hear testimony and examine witnesses upon all the questions made by the exceptions, and for that purpose may compel the attendance of the witnesses by subpoena, which the auditor shall issue on demand, and their decision on the exceptions shall be entered on the journal, and if they sustain the exception, the cost of the hearing thereon shall be paid out of the county treasury, and if they overrule the same, such cost shall be taxed against the person or corporation filing the exceptions.

Repeal.

SEC. 2. That said original section 4462 be and the same is hereby repealed.

Pending proceedings.

SEC. 3. This act shall take effect and be in force from and after its passage; and shall apply to and affect pending proceedings for the location, establishment and construction of any proposed ditch, where the same has not been finally heard and passed on by the commissioners.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1071.]

AN ACT

To authorize the sale of certain cemeteries and the removal of the remains of the dead interred therein.

Sale of certain cemeteries; application of proceeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any cemetery association, whose cemetery is within the limits of any city or village, and interments in which have been prohibited by the ordinance of such municipal corporation, or whose cemetery has been abandoned as a place for the burial of the dead, may apply by petition to the court of common pleas of the county where such cemetery is as above described, [and] the court may order the same to be sold, and direct the application of the money arising therefrom to the payment of the costs and expenses of the removal and re-interment of the remains of the dead interred therein, and to the payment of the debts, if there be any, of such cemetery association, and the court shall grant such time for the removal of the dead after the confirmation of such sale as it may deem necessary.

SEC. 2. Notice of the filing of such application shall be given by publication in some newspaper of general circulation in the county where it is filed, for four consecutive weeks, setting forth the object and prayer thereof, and that any person claiming an interest in the subject-matter of such petition may appear and file an answer therein; and the court shall, on final hearing of the case, make such order or decree as will best secure the rights of the persons having an interest in such cemetery.

Notice of application; order of sale.

SEC. 3. This act shall take effect and be in force on and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 987.]

AN ACT

To amend section 5134 of the Revised Statutes of Ohio, as amended April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5134 of the Revised Statutes of Ohio, as amended April 14, 1884, be amended as follows:

Section 5134. Cases in which there is an issue of fact, or in which damages are to be assessed, shall be tried in the order in which they stand on the trial docket, unless by the consent of parties, or by the order of the court, they are continued or placed at the heel of the docket, or for good cause shown may be especially assigned for trial or hearing out of their regular order, but the court may assign for trial the cases triable to a jury, in a series in the order in which they stand upon the docket, and cases not triable to a jury, in a series in like manner. All other cases shall be heard in the order in which they stand upon the trial docket, unless the court otherwise direct, and the court may at any time hear a motion or demurrer, and may by rule prescribe the time of hearing motions and demurrers. Provided, that in any subdivision where there are two or more judges, one of whom, for any cause, shall be disqualified to hear or try any of the causes upon such trial docket, such causes may be assigned for trial or hearing in a series in the order in which they stand upon the docket, by a judge not disqualified to try the same, and may be tried and heard in like order.

Order of trial of cases in court of common pleas.

SEC. 2. That said section 5134 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 644.]

AN ACT

To prevent trespass by the employes of telegraph companies, and other persons, and prescribing the penalty therefor.

Forbidding
trespasses
by employes
of telephone
and tele-
graph com-
panies; pen-
alty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any person engaged either for himself, or as an officer, clerk, agent, servant, or other employe of any corporation, company, firm, or person doing business wholly or partly in the state of Ohio, as receivers and transmitters of messages or other communications, either by telegraph, telephone, or other similar means, or of any electric light, district telegraph, or other company, person, firm, or corporation, who shall enter into or upon the premises, building or buildings, of another for the purpose of constructing, altering, repairing, or examining the wires, poles, insulators, frames, or other appendages belonging to such corporation, company, firm, or person, without the written consent of the owner or agent of such premises, building or buildings, or shall attach thereto any wire, pole, insulator, frame, or other appendage whatsoever, without such consent, shall be fined not less than ten nor more than one hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 631.]

AN ACT

To amend sections 1252, 5164, 5166 and 5172 of the Revised Statutes of Ohio.

Who shall
furnish tally
sheets and
poll books of
election; list
of persons
having
served as
regular ju-
rors, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one thousand two hundred and fifty-two, five thousand one hundred and sixty-four, five thousand one hundred and sixty-six and five thousand one hundred and seventy-two of the Revised Statutes of Ohio be amended so as to read as follows:

Section 1252. The clerk shall furnish at his office, at the expense of the county, and at least five days before the day of election, all the necessary poll-books and tally-sheets required in each voting precinct in the county for all presidential, congressional, state, and county elections. He shall furnish and deliver to the trustees of each township, and the councilmen of each ward, with said poll-books and tally-sheets, at each state election, a correct

list, in alphabetical form, of the names of all the regular jurors who have served in any court of record, from such township or ward, in said county during the two years last past.

Section 5164. The trustees of each township, and the councilmen of each ward, shall, on the day of the regular state election, annually, select of good, judicious persons, having the qualifications of an elector, who have not served as a regular juror in any court of record in the county during the two years last past, and not exempt by law from serving as jurors, the number of persons designated in the notice to be returned for jurors therefrom; but no trustee or councilman so acting shall be placed upon the list to serve as a juror; and shall make a list thereof, and deliver the same to the judge of election, who returns to the clerk of the court the poll-books of election, and said judge of election shall deliver the list to the clerk at the time he returns the poll-book; and, in selecting the jurors, if any person shall, by request or suggestion, attempt to influence said officer, or any of them, to select or not to select himself, or any other person or persons as aforesaid, he shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be fined in any sum not exceeding fifty dollars, or imprisoned in the county jail not more than ten days, or both, at the discretion of the court.

Selection of jurors; penalty for influencing same.

Section 5166. If all the names of jurors be drawn from the box, or the names of a sufficient number of jurors for the transaction of the business of the court for the unexpired portion of the year, be not left in the box, the judge of the court of common pleas of the county may, during term time, or in vacation, order such number of jurors as he may consider necessary to be apportioned among the several townships and wards in the county, as provided by section fifty-one hundred and sixty-three. The clerk, after making such apportionment, shall cause a statement in writing of the number of jurors required of each township and ward, to be forthwith delivered to the sheriff of the county, who shall forthwith serve the same upon the trustees and councilmen, and return it, as a summons is served and returned, and the trustees of the several townships and the councilmen of the several wards shall immediately on receipt of the statement proceed to select good, judicious persons, having the qualifications of an elector, agreeable to section fifty-one hundred and sixty-four of this chapter, to the number required of their respective townships and wards, and transmit a list of the persons so selected to the clerk of the court.

Selection of additional jurors.

Section 5172. When the court, or a judge thereof, deems it necessary to have two petit juries, or when from any cause it becomes necessary to have a new petit jury, or a member or members to fill up the regular panel for the term, the court, or a judge thereof, may order the names of the number of jurors required for the new petit jury; or, in case he deems it necessary to fill up the regular panel, he may order not exceeding double the number of names of jurors required therefor to be drawn from the box by

Special venire.

the clerk, as in other cases; and a venire issued to summons them to appear as may be directed by the court, or a judge thereof.

Repeal.

SEC. 2. That said original sections 1262, 5164, 5166 and 5172 are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[Senate Bill No. 434.]

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended March 9, 1880, March 9, 1882, March 7, 1883, February 26, 1884, March 27, 1884, and February 12, 1885, and section 6454a, passed March 27, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand four hundred and fifty-four of the Revised Statutes of Ohio, as amended March 9, 1880, March 9, 1882, March 7, 1883, February 26, 1884, March 27, 1884, and February 12, 1885, be amended so as to read as follows:

Criminal jurisdiction of the probate court in certain counties.

Section 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors, and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Delaware, Morgan and Trumbull.

SEC. 2. That section 6454a, passed March 27, 1884, be amended so as to read as follows:

Transfer to probate court of criminal business in Cuyahoga county.

Section 6454a. In all counties in which there is a city of the second grade of the first class, the court of common pleas may, by a special or general order entered on its journal, transfer to the probate court of such county any and all prosecutions pending therein for the punishment of misdemeanors or prevention of crime, and the same shall be proceeded with in said probate court as if the accused had been originally recognized or committed to appear therein by the examining court; and in taking recognizances in said court of common pleas for the appearance of the accused, he may be required to appear in said probate court.

SEC. 3. That said original section 6454, as amended March 9, 1880, March 9, 1882, March 7, 1883, February 26, 1884, March 27, 1884, and February 12, 1885, and said section 6454a, be and the same are hereby repealed.

SEC. 4. That this act take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 409.]

AN ACT

To amend sections 7338, 7339, 7340, 7341 and 7343 of the Revised Statutes of Ohio, and to repeal section 7342 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 7338, 7339, 7340, 7341 and 7343 of the Revised Statutes of Ohio be amended so as to read as follows:

Section 7338. 1. The mode of inflicting the punishment of death shall be by hanging by the neck until the person is dead; and the sheriff, or in case of his death, inability or absence, the coroner of the county in which sentence of death is pronounced, shall be the executioner. And when any person shall be sentenced, by any court of the state having competent jurisdiction, to be hanged by the neck until dead, such punishment shall only be inflicted within the walls of the Ohio penitentiary, at Columbus, Ohio, within an enclosure to be prepared for that purpose, under the direction of the warden and board of managers thereof, which enclosure shall be higher than the gallows, and so constructed as to exclude public view.

Mode, place
and time of
inflicting the
death pen-
alty; sheriff's
fees.

2. All executions of the death penalty by hanging shall take place according to the provisions of this act, and on the day designated by the judge passing sentence, but before the hour of sunrise of the designated day, and the sheriff of the county shall receive for his services one hundred dollars and the same fees as are paid in other felony cases, to be paid out of the county treasury, on the return of the sheriff showing the due execution of the sentence, duly attested and approved by the warden of the penitentiary.

Section 7339. When a person is sentenced to death, all writs for the execution of the death penalty shall be directed to the sheriff by the court issuing the same, and the sheriff of the county wherein the prisoner has been convicted and sentenced, shall, within the next thirty (30) days thereafter, in as private and secure a manner as is possible to be done, convey the prisoner to the Ohio penitentiary, where the said prisoner shall be received by the warden, and securely kept until the day designated for his execution; and the sheriff shall receive for conducting the prisoner sentenced to death to the Ohio penitentiary, the same fees and

Conveyance
of sentenced
prisoner to
the peniten-
tiary;
sheriff's fees.

Erection of
gallows at
peniten-
tiary.

mileage that is provided by law in other cases, when duly approved by the warden of the penitentiary.

Section 7340. After the passage of this act, all such warrants shall be executed within the walls of the Ohio penitentiary. It shall be the duty of the board of managers and warden of the penitentiary to proceed at once to the erection of a suitable building and scaffold, (which building and scaffold shall be permanent), in and on which to carry out the provisions of this act, the cost of which said building, scaffold and other necessary material for the completion of a permanent gallows, shall be paid out of any funds on hand appropriated for the maintenance and support of the Ohio penitentiary.

Who may
attend exe-
cutions.

Section 7341. Besides the warden, the following persons may be present at the execution, but none others: the clergyman in attendance upon the prisoner, such other persons as the prisoner may designate, not exceeding three in number, and five other sheriffs in the state, as the warden may designate, the chaplain and board of managers of the penitentiary, the coroner of the county in which the prisoner was sentenced, and a reporter for each one of the two leading newspapers of opposite politics published in said county that the sheriff may designate.

Execution
and return
of warrant.

Section 7343. Unless a suspension of execution be ordered by the supreme court, or two judges thereof, the sheriff or coroner shall proceed at the time and place named in the warrant, to cause the prisoner sentenced to be hanged by the neck until he be dead; and of the manner of his execution of the warrant and his doings thereon, he shall forthwith make return to the clerk of the county from whence the prisoner was sentenced, who shall record the warrant and returns in the records of the case.

Disposition
of the body
of the per-
son exe-
cuted.

SEC. 2. The body of the executed person shall be returned to the friends in any county in the state for burial that they may request in writing, if made on the warden the day before, or on the morning of the execution; and he may draw his order on the auditor of state, and he on the state treasurer, for paying the transportation and other funeral expenses, not to exceed the sum of fifty dollars; and if no request is made by the friends as aforesaid, the body to be disposed of as provided by law for such cases.

To whom
this act
does not
apply.

SEC. 3. The provisions of this act shall not be held to apply to cases of persons under sentence of death, and time of execution fixed to take place prior to July 1, 1885, but all persons under sentence of death, and time of execution fixed, to take place prior to July 1, 1885, shall be executed as provided in warrants issued at the place in such warrants named.

Repeal.

SEC. 4. Said original sections 7338, 7339, 7340, 7341, 7342 and 7343 are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 524.]

AN ACT

To amend section 4919 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-nine hundred and nineteen (4919) of the Revised Statutes of Ohio, be and the same is hereby so amended as to read as follows:

Section 4919. That whenever any one or more of the principal highways of any county have been so damaged or destroyed by freshet, land-slides, wear or water-courses, or by any other casualty, neglect or inattention, as to render the same unfit for travel, and hinder free and necessary transportation, and the commissioners of such county shall be satisfied that the ordinary levies authorized by law, for said purposes, will be inadequate to provide money necessary to repair such damages, or to remove obstructions from, or make such changes in such road or roads rendered necessary by the aforesaid cause or causes, they shall be and are hereby authorized, annually thereafter, to levy a tax at their June session in each year, of any sum not exceeding five mills upon the dollar, upon all taxable property of any such county, to be expended under their directions, in such manner as may seem to them most advantageous to the interest of any such county, for the construction, reconstruction or repair of such road or roads. Provided, that the tax so levied and collected in the city of Lima, Allen county, Ohio, together with any balance which may remain unexpended, levied and collected in said city under said section, shall be expended within the corporate limits of said city, under the direction of the council of said city of Lima.

Tax levy to repair highways damaged or destroyed.

Proviso as to Lima.

SEC. 2. That said original section 4919 be and the same is hereby repealed. Repeal.

SEC. 3. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 463.]

AN ACT

Supplementary to section 2669 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 2669 of the Revised Statutes of Ohio, with sectional numbering as follows:

Council of
Youngstown
and Sandusky
may license
bill posters
and traveling
salesmen.

Section 2669a. The council of cities having a population of not less than fifteen thousand and not more than sixteen thousand, by the last federal census, may provide by ordinance for licensing bill posters and all persons who shall, on the street, traveling from place to place about the city, sell, bargain to sell or solicit orders for goods, wares and merchandise by retail. The granting of such license shall be controlled by the provisions of section 2669.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 442.]

AN ACT

To amend section 431 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 431 of the Revised Statutes be so amended as to read as follows:

Distribution
of advanced
sheets of
supreme
court reports

Section 431. The supervisor, or other officer, on receiving the copies, shall deliver to the secretary of state a sufficient number of the same to supply the state officers, judges of the supreme court, supreme court commission, circuit court, common pleas court, and superior court, and clerks of the common pleas court, with one copy each; and the secretary of state shall forthwith forward the same by mail to such officers, respectively; and the remainder of such copies the supervisor, or other officer, shall carefully preserve until a volume is so printed, and shall then cause the same to be bound, as hereinafter provided.

SEC. 2. That section 431 of the Revised Statutes is hereby repealed.

SEC. 3. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 439.]

AN ACT

To amend section 1129 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1129 of the Revised Statutes be amended so as to read as follows:

Section 1129. An inspection and thorough examination of all books, vouchers, accounts, moneys, bonds, securities, and other property in the treasury of the county, shall be made by the auditor and commissioners thereof as often as every six months in each year, and the probate judge shall once every six months, or oftener, if he deem it necessary, or whenever he is requested so to do in writing by one or more of the bondsmen of the treasurer; and on the day and at the time the treasurer turns over his office and its effects to his successor in office, without notice to any one, he shall appoint, in writing, under the seal of said court, two competent and trustworthy accountants of opposite politics, neither of whom shall have held the office of treasurer nor been a clerk in any county office during the two years next preceeding such appointment; provided, that persons who have served as examiners under the provisions of this section shall not again be appointed until the expiration of three years, who, after being sworn to faithfully perform the duties imposed upon them, shall forthwith, without previous notice or intimation to the county treasurer or any other person of such intended inspection and examination, enter the county treasury, present their authority aforesaid to the county treasurer, demand the keys of the vaults and safes, and proceed immediately to count the money therein and inspect and examine the books, records and vouchers thereof, and after having counted the money, inspected and examined the books, records and vouchers found therein, make due entry of the same, after which the said examiners shall proceed forthwith to the office of the county auditor, and there ascertain how much money the county treasurer stands charged with on the auditor's books. Said auditor shall furnish such accountants with a statement of the exact amount of money, property, bonds, securities, assets and effects, also how much belongs to each particular fund and should be in the said treasury; the said accountants shall certify the exact amount of money in the treasury, together with the amount belonging to each particular fund, also all property, bonds, securities, vouchers, assets and effects as aforesaid, in writing, in triplicate, one copy of which certificate shall be recorded in the books of the treasury, and filed by the treasurer in his office, and one copy shall be recorded and filed by the auditor of the county; one copy thereof shall be duly reported to the probate court and be entered of record therein, a copy of which shall be furnished by the probate judge for publication one week in two newspapers of opposite politics of general circulation in the county in which such examination is made, and the said accountants so appointed and performing the duties therein required, shall be paid five dollars per day for the time necessary to the performance of the same, out of the

Examina-
tions of
county treas-
ury.

county treasury, on a warrant drawn by the county auditor and approved by the certificate of said court, particularly specifying the duty performed; and the auditor of state is authorized, when from information filed in his office, he deems it necessary for the safety and security of the public funds, to appoint a competent accountant, who shall in like manner proceed to examine the county treasury and count the funds therein, and have the same powers and receive the same compensation, to be paid in the same manner as examiners appointed by a probate judge, and in addition thereto his necessary expenses incurred, to be approved by the auditor of state, and such examiner shall immediately, after ascertaining the condition of the county treasury, and the amount of money therein, certify the same in the manner aforesaid, and file one copy of the certificate with the county auditor, and one with the county treasurer, and transmit one copy to the auditor of state, to be filed in his office, and the county treasurer and county auditor shall submit the offices, books, safes, moneys, papers and effects thereto belonging to the inspection of such examiner or examiners on demand; provided, that in counties in which the county treasurer is also city treasurer by virtue of law, the examination herein provided for shall embrace the funds belonging to the city, and the city clerk or city auditor shall perform the same duties herein required of the county auditor. Any officer or person violating any of the provisions of this section, shall be fined in any sum not exceeding one thousand nor less than one hundred dollars, or be imprisoned in the penitentiary not more than five years, or both, at the discretion of the court.

Repeal.

SEC. 2. Said original section 1129 is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK.

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 438.]

AN ACT

To authorize certain cities to build bridges and to issue bonds therefor.

Toledo authorized to construct a wagon bridge and issue bonds therefor; tax levy to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the third grade of the first class is hereby authorized to construct a wagon bridge, and the necessary approaches thereto, across any stream, at such points within such city as may be determined by the common council thereof, and for the purpose aforesaid, such city is authorized to issue the bonds thereof in the aggregate not to exceed the sum of two hundred and fifty thousand dollars, payable at such times as the common council of such city may determine, not to exceed thirty years; said bonds to bear a rate of interest not exceeding four per centum per annum, payable semi-annually, on the first day of April and the first day of October, and not to be sold at less than par and the accrued interest thereon, and during the time said

bonds remain unpaid, the county commissioners of any county in which such city is situate, shall, at the request by resolution of the common council of such city, pay or cause to be paid into the treasury of such city, which shall be expended by such city for the purpose of building and repairing bridges, eighty per centum of all or any levies upon the property within such city made by said commissioners for any bridge and road purposes, or either, whether general or special; and for the purpose of meeting any deficiency that may arise in the payment of said bonds, the common council of such city is hereby authorized, in addition to all other levies, to levy a tax upon all the taxable property within such city, each year, not exceeding thirty years, at a rate not exceeding one mill each year upon the dollar of valuation of taxable property within such city, and the proceeds of such bonds shall be applied solely to the construction of such bridge and approaches, and the levy hereby authorized to be made shall be by such city used and applied to the payment of said bonds and interest thereon, and for no other purpose, all acts or parts of acts to the contrary notwithstanding.

SEC. 2 That the city council of such city may, for the purpose of aiding in the construction of such bridge or bridges, contract with the county commissioners of any county adjoining the county in which such city is situated, which contract said commissioners are hereby authorized to make and perform, for the payment, by such adjoining county, of a proportion of the costs of constructing and maintaining such bridge, such proportion to be determined by the contract of the parties, and the amount to be paid by such adjoining county to be deducted from the amount of bonds authorized to be issued by this act, and bonds to be issued for the balance only.

Contract with commissioners of adjoining county.

SEC. 3. That such bonds shall not be issued, nor any money expended on such bridge, before plans and specifications for such bridge are prepared and a contract for the construction thereof entered into for a sum not to exceed two hundred and fifty thousand dollars, with good and sufficient bond to secure the performance of such contract. Provided, that whenever a contract is to be entered into by the municipal authorities of such city, for the construction of a bridge under this act, the certificate of the auditor that an amount at their par value of such bonds herein authorized, duly and legally executed, have been deposited with the treasurer of such city equal to [the] amount of such contract or contracts, shall be a sufficient certificate in law to make such contract valid and legal, and such bonds so deposited be deemed the same as money in the treasury for such purpose, within the meaning and requirement of section 2702 of the Revised Statutes of Ohio; the proceeds of such bonds so deposited to be applied only in fulfillment of contract or contracts made on such certificate.

Plans and specifications; contracts for the construction of said bridge.

SEC. 4. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 29, 1885.

[House Bill No. 662.]

AN ACT

To suppress and prevent dissemination of epizootic and communicable diseases of domestic animals in the state of Ohio.

Board of
live stock
commis-
sioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor shall, with the advice and consent of the senate, appoint three persons, who shall constitute a board of live stock commissioners, who shall hold their office in the order in which they are named: the first for one year, the second for two years, and the third for three years, and their successors in office shall be appointed for three years each. They shall meet as soon as practicable after their appointment, and after taking the oath of office, shall appoint from their number a president and secretary.

Their pow-
ers and
duties.

SEC. 2. The board of commissioners are authorized to use all proper means to prevent the spread of dangerous and fatal diseases among domestic animals, and to provide for the extirpation of such diseases; and in the event of any such contagious or infectious disease breaking out in this state, it shall be the duty of all persons owning or having in charge animals infected with the same, to immediately notify said board of commissioners, or some member thereof, of the existence of such disease, and thereupon it shall be the duty of said board immediately to cause proper examination thereof to be made by a competent veterinarian; and if said disease shall be found to be a dangerously contagious or infectious malady, the board shall order the diseased animals, and such as have been exposed to the contagion, to be strictly quarantined in charge of such person as the board, or an authorized member thereof, shall designate, and to order any premises or farms where such disease exists, or has recently existed, to be put in quarantine, so that no domestic animals, subject to such disease, be removed from, or brought to, the premises or places so quarantined; and the board shall prescribe such regulations as they may deem necessary to prevent the contagion from being communicated in any way from the premises so quarantined.

Bodies of
dead ani-
mals.

SEC. 3. The bodies of all dead animals shall be buried or burned by the owners thereof, as provided by law.

Penalty for
knowingly
having in
possession
animals af-
fected with
contagious
diseases; for
selling such
animals or
removing
the same
from quar-
antine.

SEC. 4. Any person having in his possession, or under his care, any animal which he knows, or has reason to believe, is affected with [a] dangerously contagious or infectious disease, and does not, without unnecessary delay, make known the same to said board, or some member thereof, or to the sheriff or constable of the proper county, to be by him communicated to said board; or any person or corporation who shall bring into this state, or sell or dispose of any animal, knowing the same to be affected as aforesaid, or any animal having been exposed to such contagion, within three months of such exposure, or shall move the animal so diseased or exposed from the quarantine to which it was ordered by the board of commissioners, without the consent of said board, shall, upon conviction of either of the aforesaid offenses, be fined in any sum not exceeding five hundred dollars.

SEC. 5. The board of commissioners shall keep a record of their acts and investigations of diseases of live stock, and report the same to the governor on the first Monday of November, annually, and at such other times as the governor may order; and such parts of said report as shall be of general interest to breeders of live stock may be transmitted to the department of agriculture, to be published with their proceedings. Said board shall receive for their services the sum of four dollars per day and necessary traveling expenses for each day any member is actually engaged in the investigation of reported cases of outbreaks of disease as herein provided, or in arranging for the quarantine of diseased animals, and other duties connected therewith; and when it becomes necessary for said board to employ any veterinarian, sheriff, constable, or such other persons as may be deemed essential to assist the commissioners in performing their duties, as set forth in this act, they are authorized to fix and certify their compensation, a properly itemized account of which shall be made out and certified by the board, and paid upon the order of the governor.

Records of the board; their report; expenses; compensation, etc.

SEC. 6. For the purpose of carrying into effect the provisions of this act, the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds not otherwise appropriated.

Appropriation.

SEC. 7. This act shall take effect and be in force on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 822.]

AN ACT

To repeal an act entitled "an act to create the office of health commissioner in cities of the first grade of the first class, and to repeal section twenty-one hundred and seventeen of the Revised Statutes of Ohio," as passed April 19, 1883, (vol. 80, pages 226, 227, and 228), and to compel physicians and mid-wives to keep a registry of births, clergymen and others a registry of marriages, and undertakers and others a registry of deaths, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act to create the office of health commissioner in cities of the first grade of the first class, and to repeal section twenty-one hundred and seventeen [of the Revised Statutes], passed April 19, 1883, be and is hereby repealed.

Repeal.

SEC. 2. That the following section be enacted with sectional numbering, as follows:

Section 2117. In cities of the first grade of the first class, which, for this purpose alone, shall be co-extensive with the county, it shall be the duty of physicians and professional mid-

Registry of births, marriages and deaths in Cincinnati.

wives to keep a registry of the several births at which they have assisted professionally, which registry shall contain the time of such birth, sex, and color of the child, and the names and residences of the parents. Clergymen and other persons authorized to solemnize marriages, shall keep a registry of all marriages solemnized by them. Physicians who have attended deceased persons in their last illness, and undertakers and sextons who have buried deceased persons, shall keep a registry of the name and age of such persons, and their residence at the time of their death; and all such physicians, professional midwives, clergymen, and all persons authorized to solemnize marriages, undertakers and sextons, shall report to the board of health all births, marriages and deaths occurring within the limits of such city, as registered by them, which reports shall be made as often as the board of health may require.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 643.]

AN ACT

To apportion the state of Ohio into inspection districts, to provide for adequate and efficient inspection of workshops and factories, and to provide better protection for the health, comfort and safety of persons employed therein or living therein, and to amend and repeal certain sections of the Revised Statutes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 2573a, 2573b, 2573c, supplementary to section 2573 of the Revised Statutes of Ohio, passed April 4, 1884, be so amended as to read as follows:

State divided into districts for the inspection of workshops and factories

Section 2573a. For the purpose of facilitating an efficient and thorough inspection of workshops and factories throughout the state of Ohio, and to provide an adequate inspecting force therefor, the state is hereby divided into three inspection districts, as follows:

The counties of Cuyahoga, Lake, Geauga, Ashtabula, Trumbull, Portage, Summit, Medina, Lorain, Wayne, Stark, Mahoning, Columbiana, Holmes, Tuscarawas, Carroll, Jefferson, Harrison, Coshocton, Belmont, Ashland, Richland, Huron, Erie, Crawford, Seneca, Sandusky, Ottawa, Lucas, Wood, Henry, Fulton, Defiance, Williams, Wyandot, Hancock, Putnam, and Paulding, shall compose the first district.

The counties of Franklin, Delaware, Morrow, Marion, Knox, Union, Madison, Fayette, Pickaway, Ross, Pike, Scioto, Licking, Muskingum, Guernsey, Noble, Monroe, Washington, Morgan, Perry, Fairfield, Hocking, Athens, Vinton, Meigs, Jackson, Gallia and Lawrence, shall compose the second district.

The counties of Hamilton, Clermont, Brown, Adams, Highland, Clinton, Warren, Butler, Greene, Clarke, Montgomery, Preble, Miami, Champaign, Darke, Logan, Shelby, Mercer, Hardin, Allen, Auglaize and Van Wert, shall compose the third district.

SEC. 2. The governor shall appoint one chief inspector, by and with the advice and consent of the senate, who, with the approval of the governor, shall appoint three district inspectors. The chief inspector and district inspectors shall be competent and practical mechanics. The chief inspector shall hold his office for the term of four years, and shall have his office in the state house, where shall be kept the records of his office, and the district inspectors shall hold their office for the term of three years, from the first day of May after their respective appointments, and until their successors are appointed and qualified; the first appointments hereunder shall be made within thirty days from the passage of this act; in case of the resignation, removal or death of the chief inspector, the vacancy shall be filled in the manner above provided for original appointments for the unexpired term only, of the position so made vacant.

Appointment of inspectors.

SEC. 3. The chief inspector and district inspectors shall give their whole time and attention to the duties of their offices respectively; it shall be their duty to visit all shops and factories in their respective districts as often as possible, to see that all the provisions and requirements of this act are strictly observed and carried out; they shall carefully inspect the sanitary condition of the same, [and it shall be their duty] to examine the system of sewerage in connection with said shops and factories, the situations and conditions of water-closets or urinals in and about such shops and factories, and also the system of heating, lighting and ventilating all rooms in such shops and factories where persons are employed at daily labor; also as to the means of exit from all such places in case of fire or other disaster, and also all belting, shafting, gearing, elevators, drums and machinery of every kind and description in and about such shops and factories, and see that the same are not located so as to be dangerous to employees when engaged in their ordinary duties, and that the same, so far as practicable, are securely guarded, and that every vat, pan or structure filled with molten metal or hot liquid shall be surrounded with proper safe-guards for preventing accident or injury to those employed at or near them; and that all such are in a proper sanitary condition, and are adequately provided with means of escape in case of fire or other disaster.

Duties of inspectors.

Section 2573b. That said inspectors shall have entry into all such shops or factories at all reasonable times, and it shall be unlawful for the owner, proprietors, agents or servants in such factories or shops to prevent, at all reasonable hours, their entry into such shops or factories, for the purpose of such inspections.

Right to enter shops and factories.

Section 2573c. That said inspectors, if they find upon such inspection that the heating, lighting, ventilation or sanitary arrangement of any such shop or factory is such as to be injurious to the health of persons employed or residing therein, or that the means of egress in case of fire or other disaster is not sufficient, or that the belting, shafting, gearing, elevators, drums and

Notice of necessary alterations or additions; penalty for not making same.

machinery in such shops and factories are located so as to be dangerous to employes, and not sufficiently guarded, or that the vats, pans or structures, filled with molten metal or hot liquid, are not surrounded with proper safe-guards for preventing accident or injury to those employed at or near them, shall notify the owners, proprietors or agents of such shops or factories to make the alterations or additions necessary within thirty (30) days, and if such alterations or additions are not made within thirty (30) days from the date of such notice, or within such time as said alterations can be made with proper diligence upon the part of said proprietors and owners, said proprietors, owner or agent so notified shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than two hundred (200) and not less than ten (10) dollars, which fine shall be paid into the treasury of the county in which conviction is had.

Record of
examina-
tions.

SEC. 4. The district inspectors shall make a record of all examinations of shops and factories in their respective districts, showing the date when made, the condition in which such shops and factories are found, and what changes were ordered, the number of shops and factories in their respective districts, the number of men, women and children employed in each shop or factory, together with all such other facts and information of public interest concerning the condition of such shops and factories as they may think useful and proper, which record shall be filed in the office of the chief inspector every week, to be by him recorded, and so much thereof as may be of public interest, to be included in his annual report.

Rules and
regulations
governing
district in-
spectors.

SEC. 5. The chief inspector shall issue such instructions, make such rules and regulations for the government of the district inspectors, not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceedings throughout the different districts.

Salaries, ex-
penses, etc.

SEC. 6. The salary of the chief inspector shall be fifteen hundred dollars (\$1,500) per annum, and the district inspectors one thousand dollars (\$1,000) each per annum, which salaries and all necessary traveling expenses incurred by said inspectors in the discharge of their official duties, shall be paid out of the treasury of the state, from any fund therein not otherwise appropriated, on the warrant of the auditor, on the presentation to him of the proper vouchers, but for said traveling expenses the sum paid shall not exceed five hundred (500) dollars per annum for each inspector; provided, that the chief inspector is hereby authorized to draw his order on such district fund as may not be needed for such district, in favor of the district inspector of such district as may require more than said fund of five hundred dollars (\$500). That a contingent fund of six hundred (600) dollars be created out of the funds of the treasury for office expenses.

Repeal.

SEC. 7. That said original sections 2573a, 2573b, 2573c and section two (2), passed April 4, 1884, be and the same are hereby repealed.

SEC. 8. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[House Bill No. 594.]

AN ACT

To compel owners of land to keep brush, briers, thistles, and other noxious weeds cut on their respective sides of line or partition fences.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of owners of land adjacent to any line or partition fence, when the enclosure of two or more persons is divided by such fence, and when the land is improved on both sides of the same, to keep all brush, briers, thistles, or other noxious weeds cut in the fence corners, or along the line of partition fences; provided, however, that nothing in this section shall be construed to affect the planting of vines or trees for use.

Requiring the cutting of briers, thistles, etc., along partition fences.

SEC. 2. If the owner or tenant occupying the same, neglects or refuses to cut, or have cut, such brush, briers, thistles, or other noxious weeds, as provided in the foregoing section, then any owner or occupant of land abutting on such line or partition fence, who may feel aggrieved thereby, may, after having given the owner or tenant occupying such land notice of his intentions, of not less than thirty days, (and if such brush, briers, thistles, or other noxious weeds are not cut or removed at the expiration of said thirty days), notify the trustees of the township in which such land is situated, whose duty it shall be to at once repair upon the premises, when, if they become satisfied there is just cause of complaint, they shall proceed to cause such brush, briers, thistles, or other noxious weeds to be cut in such manner as they may consider best, either by letting the work to the lowest bidder, or by entering into a private contract to have the same performed.

Notice to land owner failing to cut noxious weeds, and duties of township trustees in the premises

SEC. 3. As soon as the work shall be completed to the satisfaction of the trustees, they shall certify to the auditor of the county the amount of the cost of such labor, together with the expense thereto attached, with the correct description of the land upon which said labor has been performed, and the auditor shall place the same upon the duplicate, to be collected the same as other taxes are collected, and the county treasurer shall pay the amount when collected to the township treasurer as other funds, specifying the same.

Cost of work, how collected and paid.

Anticipating
such cost.

SEC. 4. The township trustees may anticipate the collection and refunding the cost of said labor to the township treasurer, and at the time said labor is performed draw their order upon such treasurer for the amount payable out of any township funds that may be in his hands.

Trustees' fees.

SEC. 5. The township trustees shall be entitled to one dollar per day for their services under this act.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 824.]

AN ACT

To regulate the manufacture, sale and use of dynamite within the state of Ohio.

Sale or use of
dynamite,
etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful for any person, firm or corporation to manufacture, sell or use the substance or material known as and called dynamite or other nitro explosive compound, within the state of Ohio, contrary to the provisions of this act.

Application
for license to
manufacture
same.

SEC. 2. Whoever desires to engage in the manufacture of dynamite or any compound thereof, within the state of Ohio, shall first make application in writing to the common council of the city or incorporated village in which the same is to be located, or to the board of township trustees, if it is to be located without the corporate limits of a city or village, setting forth the fact of his or their intention to engage in the manufacture of dynamite or other nitro explosive compound, the name in full of the person or persons comprising such firm, or, if a corporation, the names of the incorporators, an accurate description of the premises upon which it is to be located, and how far separated from other buildings, which statement shall be made under oath, signed by all the parties, or if a corporation, by the president and secretary thereof.

License how
granted.

SEC. 3. The common council of any city or incorporated village within this state, or the trustees of any township, may, by a majority vote of all the members elected thereto, at a regular meeting, upon application duly made under the provisions of this act, grant a certificate of license to any person, firm or corporation, authorizing the same to manufacture the substance or material known as dynamite or other nitro-explosive compound, in accordance with the conditions and restrictions hereinafter mentioned.

Penalties in
regard to the
manufac-
ture, storage
and trans-
portation of
dynamite.

SEC. 4. It shall be unlawful for any person, firm or corporation to engage in the manufacture of dynamite or other nitro-explosive compound, within this state, without having first procured the certificate of license provided for in the preceding section, or within one hundred and sixty rods of any occupied dwelling or public building, except that the trustees of any township

may, if in their judgment they deem it expedient and proper, authorize the location and establishment of such manufactory at a less distance than one hundred and sixty rods from any occupied dwelling, and it shall also be unlawful for any person, firm or corporation, to store dynamite or other nitro-explosive compound, in any quantity exceeding one hundred pounds, within the limits of any municipal corporation, or within forty rods of any occupied dwelling or public building, or to transport or carry the same in any package not having written or printed upon two sides thereof in plain and distinct letters the words "Dynamite—dangerous," or in any railroad car or water craft without having the packages containing the same marked as above; and any one convicted of the violation of the provisions of this section, shall be fined in any sum not less than three hundred nor more than five hundred dollars, or imprisoned in the county jail not less than three months nor more than one year, or both, at the discretion of the court.

SEC. 5. It shall be unlawful for any person, firm or corporation to sell or give away any quantity of the substance known as dynamite or other nitro-explosive compound to any minor, or to sell or give away the same to any person without marking the word "dynamite" upon the label, wrapper, or vessel containing it, and shall also register in a book, to be by him kept for that purpose, the day and date upon which it is sold, or given away, the quantity thereof, the name, age, sex, color and place of residence of the person obtaining the same, the purpose for which it is required, and the name and place of abode of the person for whom the same is intended; and any person convicted of the violation of the provisions of this section, shall be fined in any sum not less than one hundred dollars, or imprisoned in the county jail not less than three months, or both.

Sales to minors or without labels; sales register; penalties for violations of this act.

SEC. 6. Whoever carries concealed on or about his person any cartridge, shell or bomb containing dynamite or other nitro-explosive compound, or has in his possession or under his control any dynamite or other nitro-explosive compound, for any other than legitimate and lawful use or uses, or attempts to use the same in any manner to the injury of persons or property, or shall place or deposit the same upon or about the premises of another, without the consent of such person, shall, upon conviction thereof, be imprisoned in the penitentiary not less than five years.

Unlawful use and possession of dynamite.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[House Bill No. 954.]

AN ACT

To amend section 7027 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7027 of the Revised Statutes of the state of Ohio be so amended as to read as follows:

Penalty for disposing of obscene literature, etc., or advertising same.

Section 7027. Whoever sells, loans, or gives away, or exhibits for sale, loan or gift, or has in his possession with intent to sell, (possession of any considerable amount or variety, shall be prima facie evidence of intention to sell), loan, give away or otherwise distribute any obscene, lewd, lascivious or indecent book, pamphlet, newspaper or periodical, printed or written paper, or any printed paper, illustrated paper, newspaper or periodical devoted to the publication of criminal news or police reports, accounts or stories of deeds of lust, immorality or crime; or any obscene, lewd, lascivious or indecent picture, daguerreotype, photograph, drawing, stereoscopic picture, model, cast or instrument, or any article for indecent or immoral use, or any indecent instrument or article for procuring abortion, or for preventing conception, or for self-pollution, or any medicine for procuring abortion or preventing conception, or advertises any of said articles or things for sale, or writes, prints, or dictates any letter, circular, hand-bill, card, book, pamphlet, advertisement or notice of any kind, or orally gives any information stating where, when, or by what means any of the articles or things herein named can be purchased or procured in any way, or where they are made, or draws or designs, writes, prints or makes in any way, any of said articles, or things, or employs or procures in any way, any person to sell or give away, or in any manner to distribute any of the said articles or things or any advertisement thereof, shall be fined not more than \$1,000 nor less than \$500, or imprisoned in the penitentiary not less than one nor more than five years, or both; but nothing in this section or the next two sections, shall be construed to affect teaching in regularly chartered medical colleges, or the publication of standard medical books, or the practice of regular practitioners of medicine, or druggists in their legitimate business.

Proviso as to medical books.

Repeal.

SEC. 2. That original section 7027 is hereby repealed; and this act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK.

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 125.]

AN ACT

To amend section 3641 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-six hundred and forty-one of the Revised Statutes be and the same is hereby amended so as to read as follows:

Section 3641. A company organized under this chapter may:—

First. Insure houses, buildings, and all other kinds of property, against loss or damage by fire and lightning or tornadoes, in and out of the state, and make all kinds of insurance on goods, merchandise, and other property in the course of transportation, whether on land or water, or on any vessel or boat wherever the same may be

Powers of companies organized for insurance other than life.

Second. Make insurance on the health of individuals and against personal injury, disablement or death, resulting from traveling or general accidents by land and water; make insurance against loss or damage resulting from accidents to property, from causes other than by fire or lightning; guarantee the fidelity of persons holding places of public or private trust, who may be required to, or do, in their trust capacity, receive, hold, control or disburse public or private moneys or property.

Third. Receive on deposit and insure the safe keeping of books, papers, moneys, stocks, bonds, and all kinds of personal property; lend money on bottomry or respondentia, and cause itself to be insured against any loss or risk it may have incurred in the course of its business, and upon the interest which it may have in any property by means of any loan which it may have made on mortgage, bottomry or respondentia, and generally to do and perform all other matters and things proper to promote these objects; but no company shall be organized to issue policies of insurance for more than one of the above three mentioned purposes, and no company organized for either one of said purposes shall issue policies of insurance for any other.

SEC. 2. Said original section 3641 is hereby repealed; and this act shall take effect from its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 277.]

AN ACT

To prevent the sale of intoxicating liquors in cities of the first grade of the first class, during certain hours therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class it shall be unlawful to barter, sell or dispose of any intoxicating liquors, whether distilled, malt, or vinous, on any day or night of the week between the hours of twelve o'clock P.M. and six o'clock A.M.,

Penalty for selling intoxicating liquors in Cincinnati between certain hours, except.

except by a regular druggist, on the written prescription of a regular practicing physician, for medical purposes only. All places where such intoxicating liquors are sold, or exposed for sale, except by regular druggists, shall, on any day or night of the week, be closed between said hours, and whoever makes any such sale or disposes of any such liquors, or allows any place to be open or remain open on such day or night between said hours, shall, on conviction thereof, be fined in any sum not exceeding one hundred dollars, and be imprisoned in the county jail or city prison not exceeding thirty days, or both, at the discretion of the court.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[House Bill No. 1008.]

AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15, 1885, and for the first quarter of the fiscal year ending February 15, 1886.

General ap-
propriations

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and are hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums, to-wit:

Adjutant-General's Department:

Salary of adjutant-general, two thousand dollars (\$2,000).

Salary of assistant adjutant general, fifteen hundred dollars (\$1,500).

Salary of chief clerk, one thousand four hundred dollars (\$1,400).

Salary of four transcribing clerks, four thousand seven hundred and fifty-four dollars and eighty-four cents (\$4,754.84).

Salary of assistant clerk, six hundred dollars (\$600.)

Salary of superintendent state arsenal, and ordnance clerk, one thousand two hundred dollars (\$1,200).

Contingent expenses and inspection, one thousand five hundred dollars (\$1,500):

Expenses of court martial, O. N. G., five hundred dollars (\$500).

Pay of O. N. G. in camp, forty-six thousand six hundred and twenty-four dollars (\$46,624).

Transportation O. N. G., fifteen thousand seven hundred and ninety nine dollars and sixty-five cents (\$15,799.65).

Subsistence O. N. G., fifteen thousand five hundred and forty-one dollars and thirty-five cents (\$15,541.35).

Incidental expenses military companies, ten thousand seven hundred dollars (\$10,700).

Horse hire for batteries, nine hundred and eighty-four dollars (\$984).

Care of military stores and freight on arms, one thousand dollars (\$1,000).

Repairs of state arsenal, three hundred dollars (\$300).

For rent of encampment grounds, horse hire for officers, fuel, lumber, straw for soldiers' bedding, medicines and medical supplies, printing for encampments, five thousand dollars (\$5,000).

Preparing "copy" for soldiers' roster and publishing same, in pursuance of senate joint resolution No. 26, adopted March 5, 1884, seven thousand five hundred dollars (\$7,500).

Overcoats and blankets for Ohio National Guard, five thousand dollars (\$5,000).

Prosecuting claims against general government, two thousand and twenty-one dollars and fifty-nine cents (\$2,021.59).

Statue of President Garfield, nine thousand five hundred dollars (\$9,500); re appropriated.

For contingent, traveling and other expenses of the commission to accept the Garfield statue, five hundred dollars (\$500).

For pedestal and statue of William Allen, twelve thousand five hundred dollars (\$12,500), (as per joint resolution No. 60, passed January 28, 1885).

For portrait of the governor, five hundred dollars (\$500).

State House and Grounds:

Salary of engineer, one thousand dollars (\$1,000).

Salary of superintendent of laborers, nine hundred dollars (\$900).

Salary of two firemen, six months, nine hundred dollars (\$900).

Salary of janitor flag-room, seven hundred and twenty dollars (\$720).

Salary visitors' attendant, seven hundred and twenty dollars (\$720).

Salary of day policeman, seven hundred and twenty dollars (\$720).

Salary of night policeman, eight hundred dollars (\$800).

Salary of four regular laborers, two thousand five hundred and four dollars (\$2,504).

For extra labor, two thousand one hundred and four dollars (\$2,104).

For material and repairs, two thousand dollars (\$2,000).

For fuel for state house, one thousand eight hundred dollars (\$1,800).

To pay water rent, one thousand dollars (\$1,000).

Care and repair of heating apparatus, seven hundred and nine dollars and eighteen cents (\$709.18).

Agricultural Department:

Encouragement of, six thousand dollars (\$6,000).
 Contingent expenses, eight hundred dollars (\$800).
 For buildings and improvements of state fair grounds, fifteen thousand dollars (\$15,000).

Horticulture:

Encouragement of, one thousand dollars (\$1,000), payable to the treasurer of the board of horticulture, upon the warrant of the auditor of state.

Auditor of State's Department:

Contingent expenses, one thousand five hundred dollars (\$1,500).
 Salary of auditor, three thousand dollars (\$3,000).
 Salary of chief clerk, two thousand dollars (\$2,000).
 Salary of book-keeper, one thousand six hundred dollars (\$1,600).
 Salary of railroad and bank clerk, one thousand five hundred dollars (\$1,500).
 Salary of land clerk, one thousand five hundred dollars (\$1,500).
 Salary of canal and trust fund clerk, one thousand four hundred dollars (\$1,400).
 Salary of statistical clerk, one thousand two hundred dollars (\$1,200).
 Furniture and repairs, one hundred and fifty dollars (\$150).

Attorney-General's Department:

Salary of attorney-general, one thousand five hundred dollars (\$1,500).
 Salary of clerk, one thousand dollars (\$1,000).
 Contingent fund, three hundred and fifty dollars (\$350).
 Furniture, one hundred dollars (\$100).
 Attorney's fees on collections, five hundred dollars (\$500).

School Commissioner's Department:

Contingent expenses, six hundred dollars (\$600).
 Salary of commissioner, two thousand dollars (\$2,000).
 Salary of first clerk, one thousand seven hundred and fifty dollars (\$1,750).
 Salary of second clerk, one thousand two hundred dollars (\$1,200).
 Traveling expenses, six hundred dollars (\$600).
 Boxing and shipping reports, one hundred dollars (\$100).
 Furniture and carpets, one hundred and fifty dollars (\$150).

Railroad Commissioner's Department:

Salary of commissioner, two thousand dollars (\$2,000).
 Salary of chief clerk, one thousand two hundred dollars (\$1,200).

Salary of assistant clerk, eight hundred and fifty-two dollars and seventy-seven cents (\$852.77).

Contingent expenses, four hundred and fifty dollars (\$450).

Contingent expenses outside the office, two hundred and fifty dollars (\$250).

For carpets, one hundred dollars (\$100).

Experts to examine bridges, one thousand one hundred and one dollars and thirty-nine cents (\$1,101.39).

Fish Commission :

For the expenses of the commissioners, eight thousand dollars (\$8,000), to be drawn after the same has been incurred on vouchers approved by the commission; four thousand dollars (\$4,000) of the appropriation to be expended in the distribution of fish in the inland waters of the state; such portion of which, as may be necessary, may be used for the payment of one half of the salary of officers.

Executive Department :

Salary of governor, four thousand dollars (\$4,000).

Salary of private secretary, eight hundred dollars (\$800).

Salary of executive clerk, one thousand five hundred dollars (\$1,500).

Contingent expenses, two thousand eight hundred dollars (\$2,800).

New furniture, one hundred dollars (\$100).

Salary of lieutenant-governor, eight hundred dollars (\$800).

Insurance Department :

Salary of superintendent, two thousand dollars (\$2,000).

Salary of chief clerk, one thousand five hundred dollars (\$1,500).

Salary of examining clerk, one thousand five hundred dollars (\$1,500).

Salary of book-keeper, one thousand two hundred dollars (\$1,200).

Salary of corresponding clerk, one thousand dollars (\$1,000).

Salary of mailing clerk, eight hundred dollars (\$800).

Salary of actuary, two hundred and fifty dollars (\$250).

Salary extra clerks, one thousand two hundred dollars (\$1,200).

Contingent expenses, one thousand five hundred dollars (\$1,500).

Furniture and carpets, five hundred dollars (\$500).

Bureau of Labor Statistics :

Contingent expenses, and clerk hire, one thousand five hundred dollars (\$1,500).

Traveling expenses, one hundred and fifty dollars (\$150).

Salary of commissioner, two thousand dollars (\$2,000).

Judiciary:

Salaries of supreme, circuit, superior, and common pleas judges, two hundred and eighty-eight thousand dollars (\$288,000).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes while the general assembly is in session, and the payment of the clerks of the house and senate after adjournment, as provided in sections thirty-nine, forty-three, and forty-five of the Revised Statutes, sixty thousand dollars (\$60,000).

Senate contingent expenses, eight hundred dollars (\$800).

House contingent expenses, twelve hundred dollars (\$1,200).

Senate clerk's contingent expenses, fifty dollars (\$50).

House clerk's contingent expenses, one hundred dollars (\$100).

For Frederick Blenkner, for taking charge of the senate chamber and hall of the house and committee rooms, after its adjournment in the spring of 1885, until its meeting, January, 1886; to put the same in condition immediately after adjournment, and keep them so, continuously, and prepare them for the meeting of the general assembly in 1886; to take charge of the bill-books and other property of the members as requested, six hundred and fifty dollars (\$650), at the rate of two dollars and fifty cents per day (\$2.50), the same to be approved by the auditor of state.

Assistant to F. Blenkner in performance of foregoing labor, at two dollars (\$2.00) per day, when necessarily employed, four hundred dollars (\$400); to be approved by the auditor of state.

State Library:

Purchase of books, fifteen hundred dollars (\$1,500).

Salary of librarian, fifteen hundred dollars (\$1,500).

Salary of assistant librarian, twelve hundred dollars (\$1,200).

Contingent expenses, six hundred dollars (\$600).

Law Library:

Salary of law librarian, fifteen hundred dollars (\$1,500).

Salary of assistant law librarian, ten hundred dollars (\$1,000).

Contingent expenses, one hundred and fifty dollars (\$150).

Telephone, sixty dollars (\$60).

Desk and shelving, two hundred dollars (\$200).

Painting and cleaning, one hundred dollars (\$100).

Mine Inspector's Department:

Salary of chief inspector, nineteen hundred and thirty-eight dollars and ninety-five cents (\$1,938.95).

Salary of district inspectors, thirty-six hundred dollars (\$3,600).

Contingent fund of chief inspector and district inspectors, two thousand nine hundred and eleven dollars and ninety-seven cents (\$2,911.97).

Furniture, chief inspector's office, fifty dollars (\$50).

Secretary of State's Department :

Salary of secretary of state, two thousand dollars (\$2,000).

Salary of chief clerk, two thousand dollars (\$2,000).

Salary of statistical clerk, one thousand five hundred dollars (\$1,500).

Salary of stationery clerk, one thousand three hundred and fifty dollars (\$1,350).

Salary of corporation clerk, one thousand three hundred and fifty dollars (\$1,350).

Salary of recording and commission clerk, one thousand three hundred and fifty dollars (\$1,350).

Salary superintendent of book and packing room, eight hundred dollars (\$800).

Printing paper, forty thousand dollars (\$40,000).

Stationery, seven thousand dollars (\$7,000).

Contingent expenses, one thousand two hundred dollars (\$1,200).

Distribution of laws and journals, two thousand dollars (\$2,000).

Volumes 41 and 42 Ohio state reports, six hundred and forty-seven dollars and fifty cents (\$647.50).

Completing statistical report, three hundred dollars (\$300).

Repairing and painting rooms, and furniture, four hundred dollars (\$400).

Board of Public Works :

That there is hereby appropriated from any money coming into the treasury from the public works, the following sums, to wit : For the maintenance, repair, compensation of superintendent and other employes of the public works, not otherwise herein provided for, the receipts from tolls, rents, fines, and other income arising from the public works, not otherwise appropriated.

That there is hereby appropriated to the Miami and Erie canal, for repairing and putting in order the same, the sum of thirty-five thousand dollars (\$35,000).

Northern division Ohio and Erie canal, twenty-five thousand dollars (\$25,000).

Muskingum improvement, twenty-five thousand dollars (\$25,000).

Southern division Ohio canal, forty-five thousand dollars (\$45,000).

For salary of chief engineer, two thousand dollars (\$2,000).

For assistant engineer, one thousand six hundred dollars (\$1,600).

For attorneys' fees, five hundred dollars (\$500).

For contingent expenses, six hundred dollars (\$600), which shall include the expense of janitor.

That there is hereby appropriated to the Western Reserve and Maumee Road whatever money may be collected and paid into the treasury to the credit of said road.

Salaries of members, one thousand seven hundred and ninety-one dollars and sixty-nine cents (\$1,791.69).

Supervisor of Public Printing :

State printing, thirty thousand dollars (\$30,000).
 State binding, twenty-five thousand dollars (\$25,000).
 Salary of supervisor, one thousand eight hundred dollars (\$1,800).
 Contingent expenses, one hundred and fifty dollars (\$150).

Inspector of Shops and Factories :

Salary of inspector, one thousand five hundred dollars (\$1,500).
 For traveling expenses, nine hundred dollars (\$900).
 For postage, expressage and telegraphing, two hundred and fifty dollars (\$250).
 For office furniture, fifty dollars (\$50).
 Re-appropriating expenses of river commission, four hundred and eighty dollars and fifty cents (\$480.50.)

Supreme Court :

Purchase of books, two thousand dollars (\$2,000).
 Contingent expenses, three hundred and fifty dollars (\$350).
 Furniture, repairs, and painting consultation room, two hundred dollars (\$200).

Carpet for supreme court-room, five hundred dollars (\$500).
 Painting, cleaning and repairs, court-room, four hundred dollars (\$400).

The supreme court shall appoint a janitor to serve as janitor of the law library, the supreme court, the supreme court commission, and the clerk's office, at a salary of six hundred dollars (\$600) for the year beginning February 15, 1885, and ending February 15, 1886, to be paid in monthly installments on the order of the clerk of supreme court.

Salary for clerk hire, one thousand five hundred dollars (\$1,500).
 Contingent expenses, clerk, three hundred and fifty dollars (\$350).

Salary deputy clerk, one thousand two hundred dollars (\$1,200).
 Extra clerk hire, one thousand dollars (\$1,000).
 Reporter supreme court, salary, one thousand dollars (\$1,000).
 Contingent expenses supreme court reporter, one hundred dollars (\$100).

Supreme Court Commission :

Salary of judges, three thousand four and fifty dollars (\$3,450).
 Salary of deputy clerk, one hundred and seventy-two dollars and twenty-one cents (\$172.21).

Salary of crier, eighty-three dollars and fifty cents (\$83.50).
 Salary of messenger, sixty-six dollars and sixty-seven cents (\$66.67).

Salary of reporter, one hundred and thirty-seven dollars and seventy-seven cents (\$137.77).

To pay reporter to finish volume 41 of the supreme court commission, to be paid after the same is completed and accepted by the supreme court, two hundred and fifty dollars (\$250).

Salary of clerk, one hundred dollars (\$100).
 Salary of porter, one hundred and fifty dollars (\$150).

Treasurer of State :

Salary of treasurer, three thousand dollars (\$3,000).

Salary of cashier, two thousand dollars (\$2,000).

Salary of two book-keepers, two thousand seven hundred dollars (\$2,700).

Salary of janitor and messenger, six hundred dollars (\$600).

Salary of two night watchmen, one thousand six hundred dollars (\$1,600).

Contingent expenses, four hundred dollars (\$400).

Collecting auditor of state drafts, one thousand eight hundred dollars (\$1,800).

Alarm telegraph and telephone, eighty-six dollars (\$86).

Board of State Charities :

Expenses of board, to be drawn on the order of the board, three thousand five hundred dollars (\$3,500).

Ohio State University :

Library, two thousand dollars (\$2,000).

Expenses of trustees, five hundred dollars (\$500).

Improvement of campus, one thousand dollars (\$1,000).

Fuel and care of buildings, two thousand dollars (\$2,000).

Ordinary repairs, two thousand dollars (\$2,000).

Green house, six hundred dollars (\$600).

Equipment laboratory agricultural chemist, twenty-five hundred dollars (\$2,500.)

Veterinary museum and appliances for instruction in veterinary anatomy, physiology, two thousand dollars (\$2,000.)

Equipment horticultural department, four hundred dollars (\$400).

Additions to equipment, mechanical laboratory. two thousand five hundred dollars (\$2,500).

For salaries, six thousand dollars (\$6,000).

For laboratories, four thousand dollars (\$4,000).

Ohio Meteorological Bureau :

Expenses of bureau, two thousand dollars (\$2,000).

Ohio University :

Heater for chapel, eight hundred dollars (\$800).

Library and reading room, one thousand dollars (\$1,000)

Chairs for recitation rooms, one hundred and fifty dollars (\$150).

Repairs of wing-building, seven hundred and fifty dollars (\$750).

General repairs, four hundred dollars (\$400).

Trustees expenses, three hundred dollars (\$300).

Chemical and physical department, one thousand five hundred dollars (\$1,500).

Miami University :

Repair of buildings, twenty thousand dollars (\$20,000).

Ohio Agricultural Experiment Station:

For new building, one thousand dollars (\$1,000).
 Current expenses, five thousand dollars (\$5,000).

Ohio Penitentiary:

Current expenses, ninety-eight thousand dollars (\$98,000).
 Salaries of officers, nineteen thousand seven hundred and sixty dollars (\$19,760).
 Salaries of guards, fifty eight thousand seven hundred and twenty-four dollars (\$58,724).
 Ordinary repairs, eight thousand five hundred dollars (\$8,500).
 Manufacture of gas, nineteen thousand seven hundred and forty-four dollars and fifty cents (\$19,744.50).
 Library, six hundred dollars (\$600).
 The sum of seventeen thousand five hundred dollars, to pay rewards for convicts, heretofore credited with the same, and the sum of twenty-five hundred dollars for rewards hereafter credited for convicts.
 Carpets, five hundred dollars (\$500).
 To carry out the provisions of the laws of 1884 and 1885, and to purchase additional machinery, materials and horses, thirty thousand dollars (\$30,000).
 Machinery and tools, heretofore purchased, ten thousand dollars (\$10,000).
 To build new workshops and to rebuild old one, fifteen thousand dollars (\$15,000).
 Expenses of managers, one thousand five hundred dollars (\$1,500).
 Prosecution and transportation of convicts, ninety thousand dollars (\$90,000).
 For water works, ten thousand dollars (\$10,000).

Intermediate Penitentiary:

For locating and constructing building, fifty thousand dollars (\$50,000).
 Salary of managers, as per law passed April 14, 1884, section 4, page 207, three thousand dollars (\$3,000).

Lucas County Insane Asylum:

Care of insane under contract, fourteen thousand four hundred and ninety-five dollars (\$14,495).

Toledo House of Refuge and Correction:

Care of boys under contract, twenty thousand eight hundred dollars (\$20,800).

Toledo Insane Asylum :

For construction of asylum for insane, two hundred thousand dollars (\$200,000).

And re-appropriate so much of the amount of former appropriation for that purpose, passed April 18, 1883, (O. L., page 181, vol. 80), remaining unexpended.

Trustees expenses, including salary of clerk and secretary, and office rent, three thousand dollars (\$3,000).

Longview Asylum for Insane :

Current expenses, ninety thousand dollars (\$90,000).

This sum is for the support of all insane in said institution, including colored, as provided by contract on file in auditor of state's office, which contract was set aside and annulled in the general appropriation of 1884, and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1885, and ending February 15, 1886.

Imbecile Asylum :

Current expenses, eighty-two thousand and sixty-three dollars and twenty-eight cents (\$82,063.28).

Ordinary repairs, four thousand dollars (\$4,000).

Salaries, ten thousand one hundred and twelve dollars (\$10,112).

Expenses of trustees, four hundred dollars (\$400).

Furniture and carpets, five thousand dollars (\$5,000).

Ohio Institution for the Blind :

Current expenses, twenty-seven thousand dollars (\$27,000).

Salaries of officers and teachers, eight thousand one hundred dollars (\$8,100).

Ordinary repairs, two thousand dollars (\$2,000).

Repairing damage by fire, one thousand dollars (\$1,000).

Furniture and bedding, two thousand dollars (\$2,000).

Books and school apparatus, two thousand five hundred dollars (\$2,500).

Steam pipes and heating, one thousand dollars (\$1,000).

Painting and varnishing, one thousand dollars (\$1,000).

Expenses of trustees, seven hundred and sixty-eight dollars and ten cents (\$768.10).

Fire hose, five hundred dollars (\$500).

To purchase additional grounds, seven thousand five hundred dollars (\$7,500).

Deaf and Dumb Asylum :

Current expenses, fifty thousand dollars (\$50,000).

Salaries of officers and teachers, fifteen thousand seven hundred and fifty dollars (\$15,750).

Ordinary repairs, three thousand and fifty dollars (\$3,050).

Expenses of trustees, four hundred and fifty dollars (\$450).

Inside painting, seven hundred and fifty dollars (\$750).

Outside painting, two hundred and fifty dollars (\$250).
 Lumber for flooring school-rooms and halls, eleven hundred dollars (\$1,100).
 Furniture, three hundred dollars (\$300).
 Carpets, four hundred and fifty dollars (\$450).
 Foreman of printing office, seven hundred dollars (\$700).
 Supplies for printing office, two hundred dollars (\$200).
 Foreman of carpenter shop, six hundred dollars (\$600).
 Supplies for carpenter shop, eight hundred dollars (\$800).
 Foreman of shoe shop, seven hundred dollars (\$700).
 Supplies for shoe shop, eight hundred dollars (\$800).
 For repairing and painting chapel, seven hundred dollars (\$700).
 Connection of gas main with asylum, four hundred and fifty dollars (\$450).
 For protection from fire, one thousand two hundred and twenty-one dollars (\$1,221).

Ohio Soldiers and Sailors Orphans' Home:

Current expenses, sixty-eight thousand dollars (\$68,000).
 Salaries of officers and teachers, thirteen thousand one hundred dollars (\$13,100); and for expenses of board of lady visitors, three hundred dollars (\$300).
 Ordinary repairs, three thousand dollars (\$3,000).
 Industrial pursuits, four thousand dollars (\$4,000).
 Expenses of trustees, three hundred dollars (\$300).
 To pay net earnings, under section 680 of the Revised Statutes, one thousand five hundred and fifty dollars (\$1,550).
 Support of orphans outside, ten thousand dollars (\$10,000).
 Purchase of cows, four hundred dollars (\$400).
 Furniture and carpets, eight hundred dollars (\$800).
 Sewerage, five hundred dollars, (\$500).
 Improvement in water supply, five hundred dollars (\$500).
 Hospital, four thousand dollars (\$4,000).
 New gas posts, three hundred dollars (\$300).
 Purchase of horses, four hundred dollars (\$400).
 Laundry, one hundred dollars (\$100).
 Library, one hundred and fifty dollars (\$150).
 Corn-crib and wagon-house, two hundred and fifty dollars (\$250).
 For new blacksmith-shop, eight hundred dollars (\$800).
 For new boilers, steam traps and heating apparatus, five thousand dollars (\$5,000).

Boys' Industrial School:

Current expenses, twelve thousand dollars (\$12,000).
 Salaries of officers, teachers and employes, sixteen thousand and five hundred dollars (\$16,500).
 Ordinary repairs, three thousand dollars (\$3,000).
 Expenses of trustees, four hundred and fifty dollars (\$450).
 Books and charts for boys' library, two hundred and fifty dollars (\$250).

Rewards to boys, five hundred dollars (\$500).

Furniture and carpets, three hundred dollars (\$300).

For furniture for boys' dining-rooms, three hundred dollars (\$300).

For new shop and additions to blacksmith-shop, four thousand dollars (\$4,000).

For gravel for roads, five hundred dollars (\$500).

Girls' Industrial Home :

Current expenses, twenty thousand dollars (\$20,000).

Salaries of officers and teachers, ten thousand four hundred and seventy-eight dollars and seventy five cents (\$10,478.75).

Expenses of trustees, five hundred dollars (\$500).

Library, two hundred dollars (\$200).

Repairs of buildings for employes, eight hundred dollars (\$800).

Sewing machines, two hundred dollars (\$200).

Furniture and carpets, one thousand dollars (\$1,000).

Ordinary repairs, two thousand dollars (\$2,000).

Grading and improving grounds, five hundred dollars (\$500).

Fences, three hundred dollars (\$300).

Telephone, rental, and repairs, two hundred dollars (\$200).

Water-pipe line for stock, two hundred and fifty dollars (\$250).

Building for storing coal, five hundred dollars (\$500).

Athens Asylum for Insane :

Current expenses, seventy-five thousand dollars (\$75,000).

Officers' salaries, three thousand eight hundred and twenty-five dollars (\$3,825).

Ordinary repairs, five thousand dollars (\$5,000).

Expenses of trustees, three hundred dollars (\$300).

Fencing, five hundred dollars (\$500).

Furniture and carpets, one thousand five hundred dollars (\$1,500).

Books and pictures, three hundred dollars (\$300).

Painting wards, one thousand dollars (\$1,000).

Grading, one thousand dollars (\$1,000).

Paving reservoir, four hundred and fifty dollars (\$450).

Pipes at pump house, five hundred dollars (\$500).

For ice house, one thousand dollars (\$1,000).

Cleveland Asylum for Insane :

Current expenses, seventy-five thousand dollars (\$75,000).

Salaries of officers, three thousand eight hundred and twenty-five dollars (\$3,825).

Ordinary repairs, four thousand dollars (\$4,000).

Trustees' expenses, three hundred and fifty dollars (\$350).

Books and pictures, two hundred and fifty dollars (\$250).

Painting wards, one thousand dollars (\$1,000).

Carpets, eight hundred dollars (\$800).

Horses and carriages, four hundred dollars (\$400).

New furniture and repairing old, one thousand dollars (\$1,000).

Laundry machinery, eight hundred dollars (\$800).

To provide for a different outlet to the asylum sewer, as the officers of the institution and the city council of Cleveland may determine, twenty-five hundred dollars (\$2,500), or so much thereof as may be necessary.

Columbus Asylum for Insane:

Current expenses, one hundred and twenty-five thousand dollars (\$125,000).

Salaries of officers, four thousand three hundred and fifty dollars (\$4,350).

For ordinary repairs, and resetting boilers, thirteen thousand dollars (\$13,000).

Expenses of trustees, two hundred and twenty-five dollars (\$225).

Repair of boilers, and for the purchase of three new boilers, six thousand dollars (\$6,000).

Painting wards, two thousand dollars (\$2,000).

Books and pictures, two hundred and fifty dollars (\$250).

Furniture and carpets, one thousand two hundred dollars (\$1,200).

Grading, two thousand five hundred dollars (\$2,500).

Horses and harness, eight hundred dollars (\$800).

Bedding, five hundred dollars (\$500).

For repairs of building, made necessary by sinking walls, two thousand five hundred dollars (\$2,500).

For refrigerator building, two thousand five hundred dollars (\$2,500).

Dayton Asylum for Insane:

Current expenses, eighty thousand dollars (\$80,000).

Officers' salaries, three thousand five hundred and ninety-nine dollars and thirty seven cents (\$3,599.37).

Ordinary repairs, four thousand dollars (\$4,000).

Expenses of trustees, three hundred and fifty dollars (\$350).

Books and pictures, two hundred dollars (\$200).

Horses and cows, six hundred dollars (\$600).

Carpets and furniture, fifteen hundred dollars (\$1,500).

Covering steam main and pipes, seven hundred and fifty dollars (\$750).

Painting walls, five hundred dollars (\$500).

Rent of plow and pasture lands, two hundred and fifty dollars (\$250).

Buggies and wagons, six hundred dollars (\$600).

Fencing, five hundred dollars (\$500).

Hose, five hundred dollars (\$500).

For new refrigerator, and building for same, one thousand seven hundred dollars (\$1,700).

For the purchase or condemnation of land, including the springs, and fencing in of the same, two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary.

For new water-closets, and traps and fittings for bath-rooms, three thousand six hundred dollars (\$3,600).

For new boilers and boiler house, four thousand two hundred dollars (\$4,200).

Commissioners of Sinking Fund:

That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For the payment of the expenses of the commissioners of the sinking fund, including salary of the clerk, one thousand five hundred dollars (\$1,500).

Expenses—Redemption of bonds, six hundred dollars (\$600).

For the expense to be incurred by the sinking fund commissioners in refunding the bonds falling due A. D. 1886, twenty-five hundred dollars (\$2,500), or so much thereof as may be necessary.

SEC. 2. No appropriation made in the foregoing section, or any part thereof, shall be drawn for any other purpose than that for which it is made; nor shall any part thereof be drawn to pay deficiencies or debts existing prior to the fifteenth day of February, 1885.

SEC. 3. In addition to the several appropriations made for the insane, blind, deaf and dumb, and imbecile asylum, the girls' industrial home, and the boys' industrial school, there is hereby appropriated any amount of money received from other sources outside of the state treasury by the financial officers of the respective institutions; and the same shall be credited to the current expense account.

Miscellaneous:

Uniforms for O. N. G., ten thousand dollars (\$10,000).

Damages by cyclone at S. and S. O. Home, seven thousand three hundred and forty-six dollars (\$7,346).

Green, Joyce & Co., for blankets furnished O. N. G., during Hocking Valley strike, [thirty-four dollars and thirty-eight cents] (\$34.38).

Per Diem.

| | |
|-------------------------------------|------------------|
| Field and Staff, 8th Regiment..... | \$72 00 |
| Company B, 8th Regiment..... | 144 00 |
| " O, "..... | 160 00 |
| " D, "..... | 212 00 |
| " E, "..... | 276 00 |
| " F, "..... | 148 00 |
| " G, "..... | 120 00 |
| Field and Staff, 17th Regiment..... | 20 00 |
| Company D, 17th Regiment..... | 180 00 |
| " G, 14th "..... | 140 00 |
| " B, 2d "..... | 172 00 |
| | <hr/> \$1,644 00 |

To pay S. T. Stambaugh, for ten uniforms furnished to O. N. G., in 1881, eighty dollars (\$80).

For actual expenses incurred by Co. E, 14th Regiment, O. N. G., called into service July 11, 1884, by the sheriff of Morrow county, Ohio, to aid the civil authorities to prevent a riot or disturbance at time set for the execution of Wagoner, at Mt. Gilead, Ohio, on that day, in accordance with provisions of section 3081, of the Revised Statutes of Ohio, as amended April 19, 1881, one hundred and eleven dollars (\$111).

House clerk's office—For carpeting, complete, one hundred and five dollars and sixty cents (\$105.60).

Senate clerk's office—For carpeting, complete, one hundred and five dollars and sixty cents (\$105.60).

To pay voucher No. 1012, drawn in favor of H. R. Brown, in accordance with House resolution No. 177, for services rendered in 1877, \$50.00.

To pay L. J. Critchfield, attorney's fees, employed by order of board of public works, \$75.00.

To pay Dr. C. R. Montgomery for services rendered private Robert Arnold, of 8th Battery, O. N. G., the same to be approved by the adjutant-general, \$125.00.

To pay burial expenses of Emil Kern, private in Co. A, 8th Regiment, O. N. G., the voucher to be approved by the adjutant-general, \$84.50.

To refund to the Ohio University, taxes collected in 1883, \$134.79.

To refund to the Ohio University, taxes collected in 1884, \$288.75.

The auditor of state is hereby authorized to draw his warrant for the same, if found to be correct.

No bills for extra clerk hire, (except in the executive department), or for furniture or carpets, shall be paid out of the appropriation therein made for contingent expenses. No money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or the material furnished, and the date of purchase and time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 30, 1885.

[Senate Bill No. 237.]

AN ACT

To amend section 270 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two hundred and seventy of the Revised Statutes of Ohio be so amended as to read as follows:

Insurance
department:
expendi-
tures, sala-
ries; office
and fees of
superinten-
dent.

Section 270. The office of the superintendent shall be in the state house, and all salaries and expenditures of the insurance department shall be paid on the certificate of the superintendent; but no money shall be paid out of the state treasury in excess of the amount collected from insurance companies, as provided by law; and provided also, that, in case the excess of fees collected and paid into the state treasury, as provided by section two hundred and eighty-two, Revised Statutes of Ohio, over the total salaries and expenditures of said insurance department, shall equal the sum of fifteen thousand dollars, the said superintendent of insurance shall receive, out of said excess of fees, a sum not exceeding ten per centum on such excess; provided, that said superintendent shall not receive in such fees exceeding the sum of one thousand dollars, per centum in addition to his salary, as now provided by law.

Repeal.

SEC. 2. Said original section 270 is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 523.]

AN ACT

To amend section 6390 of title 2, chapter 5, Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6390 of title 2, chapter 5, Revised Statutes of Ohio, be so amended as to read as follows:

Issue of
marriage
licenses.

Section 6390. The probate judge, as aforesaid, may inquire of the party applying for [a] marriage license, as aforesaid, upon oath, relative to the legality of such contemplated marriage; and if the judge shall be satisfied there is no legal impediment thereto, then he shall grant such marriage license; and if any of the persons intending to marry shall be under age, and shall not have had a former wife or husband, the consent of the parents or guardian shall be personally given before the judge, or certified under the hand of such parent or guardian, attested by two witnesses, one of whom shall appear before said judge and make oath that he saw the parent or guardian, whose name is annexed to such certificate, subscribe, or heard him or her acknowledge the same;

and the judge is hereby authorized to administer such oath, and thereupon issue and sign such license, and affix thereto the seal of the court; the judge shall be entitled to receive as his fee for administering the oath and granting license, with the seal affixed thereto, recording the certificate of marriage, and filing the necessary papers, the sum of seventy-five cents; and if any judge shall, in any other manner, issue or sign any marriage license, he shall forfeit and pay a sum not exceeding one thousand dollars, to and for the use of the party aggrieved. Provided, that should the person then qualified and acting as probate judge be himself the party applying, he shall make the application to the judge of the court of common pleas, within and for the same county, and if there be no legal impediment thereto, said common pleas judge shall grant said probate judge a marriage license, and shall thereupon certify said application, and his action thereon, to the probate court of said county for record, as in other cases.

SEC. 2. Original section 6390 is hereby repealed; and this act shall take effect and be in force from and after its passage. Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 361.]

AN ACT

To amend section 850 of the Revised Statutes of Ohio, as amended April 11, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section eight hundred and fifty of the Revised Statutes of Ohio, as amended April 11, 1883, be amended to read as follows:

Section 850. The clerk shall keep a full and complete record of the proceedings of the board, and a general index thereof, in a suitable book provided for that purpose, entering every motion with the name of the person making the same on the record, and he shall call and record the yeas and nays on every motion which involves the levying of taxes or the appropriation or payment of money; he shall state fully and clearly in the record any question relating to the power and duties of the board which is raised for its consideration by any person having an interest therein, together with the decision upon the same, and shall call and record the yeas and nays by which said decision was arrived at; and shall record, when requested by the parties interested in the proceedings, or by either of them, or by their counsel, any legal proposition decided by the board, together with the decision thereon and the votes by which the decision was reached; and if either party, in person or by counsel, except to said decision, the clerk

Record of
proceedings
of county
commis-
sioners; in-
dex thereof.

of the board shall record such exception in connection with the record of the decision. The record book of the board of county commissioners shall be kept, when the board is not in session, in the auditor's office, and open to public inspection at all proper times; it shall be duly certified by the president and clerk, and shall be received as evidence in every court in the state; and in counties where no index has been made of such record, the commissioners thereof are hereby authorized to cause an index to be made of such past records for such period of time subsequent to the first day of January, A.D. 1880, as the judgment of the county commissioners may determine; and the clerk shall receive for indexing, provided for in this section, such compensation as is provided for like services in other cases.

Repeal.

SEC. 2. That section 850 of the Revised Statutes as amended April 11, 1883, be repealed; and that this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 487.]

AN ACT

To amend and supplement certain sections of the Revised Statutes therein named.

Mine inspectors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections two hundred and ninety-three, two hundred and ninety-five, and two hundred and ninety-nine of the Revised Statutes of Ohio, as amended by an act entitled "an act to apportion the state of Ohio into mining districts, to provide for adequate and efficient inspection of mines, and to amend and repeal certain sections of the Revised Statutes therein named," passed April 12, 1884, (81 v. 153), be and the same are hereby amended so as to read as follows:

Rules governing district inspectors; transfer and removal of same; their powers and duties as sealers of weights and measures.

Section 293. The chief inspector shall issue such instructions, make such rules and regulations for the government of the district inspectors, not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceedings throughout the different districts; and he may order one district inspector to the assistance of any other district inspector, or make temporary transfers of district inspectors, when in his judgment the efficiency or necessity of the service demands or permits; and he may, with the consent of the governor, remove any district inspector at pleasure; the district inspectors are hereby invested with all the powers and authority of county auditors, as sealers of weights and measures in the different counties of this state, and for any service performed as such sealers they shall receive the

same compensation as now provided by section ten hundred and sixty-two of the Revised Statutes; but said inspector shall exercise said authority in connection with weights and measures, only at mines in their respective districts; the chief inspector shall render such personal assistance to the district inspectors as they, from time to time may require, and shall make such personal inspection of mines as he may deem necessary and his other duties will permit; he shall keep in his office and carefully preserve all maps, surveys and other reports and papers required by law to be filed with him, and so arrange and preserve the same as shall make them a permanent record of ready, convenient and connected reference; he shall compile and consolidate the reports of district inspectors, and annually make report to the governor of all his proceedings, as well as those of the district inspectors, the condition and operation of the different mines of the state, the number of mines and the number of persons employed in or about such mines, the amount of coal, iron ore, limestone, fire-clay, or other mineral mined in this state; and for the purpose of enabling him to make such report, the owner, lessee or agent in charge of such mine, or who is engaged in mining, is hereby required to give accurate information as to the foregoing facts on blanks to be furnished by the chief inspector under penalty of one hundred dollars, to be recovered at the suit of the chief inspector in the name of the state of Ohio, for refusal to furnish such information on demand of the chief inspector; he shall also include in such report such facts relative to the mineral resources of the state, and the development of the same, as shall, in his judgment, be of public interest; he shall enumerate all accidents, and the manner in which they occurred, in or about mines, and give all such other information as he thinks useful and proper, and make such suggestions as he deems important relative to mines and mining, and any other legislation that may be necessary on the subject for the better preservation of the life and health of those engaged in such industry.

Chief inspector shall aid district inspectors, preserve maps, etc., and make annual report; penalty for refusing information.

Section 295. There shall be provided for the inspectors, weights and measures and all instruments and chemical tests necessary for the discharge of their respective duties under this chapter, which shall be paid for on the certificate of the chief inspector, and shall belong to the state.

Instruments, etc., furnished inspectors

Section 299. The owner or agent of every coal mine operated by shaft, in all cases where the human voice cannot be distinctly heard, shall forthwith provide and maintain a metal tube from the top to the bottom of such shaft suitably calculated for the free passage of sound therein, so that conversation may be held between persons at the bottom and top of the shaft; there shall also be provided an approved safety-catch, and a sufficient cover overhead, on all carriages used for lowering and hoisting persons, and in the top of every shaft an approved safety gate, and an adequate brake shall be attached to every drum or machine used for lowering or raising persons in all shafts or slopes; and there shall also be provided in every shaft a traveling or passage way from one side of a shaft bottom to the other, so that persons working therein may not have to pass under descending cages; and all slopes or engine-planes, used as traveling ways by persons

Speaking tubes and safety appliances.

in any mine, shall be made of sufficient width to permit persons to pass moving cars with safety; but if found impracticable to make any slope or engine-plane of sufficient width, then safety holes of ample dimensions, and not more than sixty feet apart, shall be made on one side of said slope or engine-plane. The said safety-holes shall always be kept free from obstructions, and the roof and sides shall be made secure.

SEC. 2. That the following section shall supplement section two hundred and ninety-nine:

Erection of
boilers, hop-
pers, etc., at
the mouth of
a shaft.

Section 299a. From and after May 1, 1885, no boiler used for generating steam, and no hopper, or other inflammable structure for the preparation or dumpage of coal, shall be erected nearer than one hundred feet to the mouth of any shaft or slope; but this section shall not be construed to prohibit the erection of a fan for the purpose of ventilation, or of a trestle for the transportation of cars from any shaft or slope to such hopper or structure; neither shall it apply to any shaft or slope, until the same be sunk to its proposed limit, or until the work of development and shipment of coal has commenced.

SEC. 3. That sections three hundred and one and six thousand eight hundred and seventy-one of the Revised Statutes be and the same are hereby amended so as to read as follows:

Safety
lamps: ven-
tilating
doors; duties
of mining
boss as to
ventilation.

Section 801. All safety lamps used for examining coal mines, or which are used in any coal mine, shall be the property of the owner of the mine, and shall be under the charge of the agent thereof, and in all mines, whether they generate fire-damp or not, the doors used in assisting or directing ventilation of the mine, shall be so hung or adjusted that they will shut of their own accord and cannot stand open; and all main doors shall have an attendant, whose constant duty shall be to open them for transportation and travel, and prevent them from standing open longer than is necessary for persons or cars to pass through; and the mining boss shall keep a careful watch over the ventilating apparatus and the airways, and he shall measure the ventilation at least once a week, at the inlet and outlet, and also at or near the face of all the entries, and the measurements of air so made shall be noted on blanks, furnished by the mine inspector; and on the first day of each month the mining boss of each mine shall sign one of such blanks, properly filled, with the said actual measurements, and forward the same to the mine inspector.

Penalty for
violating
statutory
provisions;
for endan-
gering mines
and miners,
etc.; for
failure to
give notice
of accidents,
etc.

Section 6871. Whoever knowingly violates any of the provisions of sections two hundred and ninety-eight, two hundred and ninety-nine, three hundred, three hundred and one, three and two, and three hundred and five of the Revised Statutes, or does any act whereby the lives or health of the persons or the security of any mine and machinery are endangered, or any miner or other person employed in any mine governed by the statute, who intentionally and willfully neglects or refuses to securely prop the roof of any working-place under his control, or neglects or refuses to obey any order given by the superintendent of a mine in relation to the security of the mine in the part thereof where he is at work, and for fifteen feet back from the face of his working-place, or any person having charge of a mine, whenever loss of life occurs by accident connected with the working of such mine,

or by explosion, who neglects or refuses to give notice thereof forthwith, by mail or otherwise, to the chief inspector of mines, and to the coroner of the county in which such mine is situate, or any such coroner who neglects or refuses to hold an inquest upon the body of the person whose death has been thus caused, and return a copy of his finding and all the testimony to the inspector, shall be fined not less than fifty dollars, or imprisoned in the county jail not more than thirty days, or both.

SEC. 4. That sections 293, 295 and 299, as amended April 12, 1884, and original sections 301 and 6871 be and the same are hereby repealed. Repeal.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1057.]

AN ACT

To amend section 2 of an act entitled "an act for the protection and benefit of keepers of stallions in the state of Ohio," passed March 13, 1884, (Ohio Laws, vol. 81, page 43).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2 of an act for the protection and benefit of keepers of stallions in the state of Ohio, be amended so as to read as follows:

Section 2. Such keeper or owner of any stallion, in order to obtain and perfect such lien, shall, within ten months from the time of the rendition of such service by any stallion, file with the recorder of the county, where the service has been rendered, an affidavit of the amount due such keeper or owner for the said service, and for filing or making any copy of such affidavit, or the certificate of the date of such filing, the recorder shall be entitled to the same fees as are provided by law for like services in regard to chattel mortgages.

Lien of
keeper of
stallion,
how per-
fected.

SEC. 2. That said section 2 of an act entitled an "act for the protection and benefit of keepers of stallions in the state of Ohio," passed March 13, 1884, is hereby repealed.

Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 896.]

AN ACT

For the protection of fair grounds and other inclosures, and the property therein, and to punish offenders and trespassers thereon.

Trespasses
on fair
grounds,
and other
inclosures
forbidden.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any person or persons, corporation or association, whether incorporated or otherwise, shall be possessed of, as owner, or shall have the lawful custody of any tract or parcel of land within this state, enclosed by a good picket or close board fence, or other good and substantial fence, not less than five feet high, for the purpose of an agricultural or other fair ground, or for the purpose of meetings of pioneers, or for public or private entertainments, or other lawful assemblages, or for the protection of trees, plants and shrubs, or either of them, or the fruits and products thereof, or for any one or all of said purposes, it shall be unlawful for any person or persons to enter or go upon said inclosure, either through or over said fence, or in any other manner, without the consent and permission of the owner or owners thereof, or other person having lawful control of the same, or in violation of the rules and regulations of the same.

Penalty.

SEC. 2. Whoever shall willfully, and in violation of the provisions of section one of this act, enter or go upon any lands so inclosed as aforesaid, or shall injure or destroy any tree, plant, shrub, or other property thereon, or shall take or carry away fruit, nuts, or other thing of value, or shall willfully damage or destroy the fence enclosing said lands, shall, on conviction thereof, be fined in any sum not exceeding three hundred dollars nor less than five dollars, or be imprisoned in the jail of the proper county, or in any city, town, or village prison or lock-up, (when the offense shall have been committed within the corporate limits thereof), for any period not exceeding three months, and until said fine and costs are paid, or both fine and imprisonment, at the discretion of the court; and shall moreover be liable, in a civil action, to the party damaged thereby, in double the value of the property taken, carried away or destroyed, and in double the amount of the damage thereto, to be recovered before a justice of the peace or other court of competent jurisdiction.

Prosecutions
hereunder.

SEC. 3. Prosecutions under and by virtue of this act, may be by indictment in the court of common pleas in the county where the offense shall have been committed, or before a justice of the peace of such county, or before the mayor of a city, town, or village, when the offense shall have been committed within the corporate limits of the same.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 497.]

AN ACT

To amend section 7023 of the Revised Statutes, and supplementing the same with a section numbered 7023a.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7023 of the Revised Statutes be amended and supplemented so as to read as follows:

Section 7023. Whoever induces, decoys, procures, or compels any female under eighteen years of age, or causes any female over eighteen years of age, against her will, to have sexual intercourse with any person, or knowingly permits any other person to have sexual intercourse with any female of good repute for chastity upon premises owned or controlled by him, shall be imprisoned in the penitentiary not more than three years, nor less than one year.

Inducing illicit intercourse or permitting it on his premises; penalty.

Section 7023a. Whoever, in a wine-room, saloon or restaurant, or elsewhere, gives, offers or furnishes to any female of good repute for chastity, over eighteen years of age, or to any female under eighteen years of age, any wine or other intoxicating liquors, with intent thereby to enable himself to have sexual intercourse, or to aid or assist any person in accomplishing or having sexual intercourse, with such female, shall be imprisoned in the penitentiary not more than three years nor less than one year.

Giving wine, etc., to female in wine room with intent, etc.; penalty.

SEC. 2. Said original section 7023 is hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 468.]

AN ACT

To amend section two of an act entitled an "act to authorize the construction of avenues in counties containing a city of the second grade of the second class," passed April 6, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of an act entitled "an act to authorize the construction of avenues in counties containing a city of the second grade of the second class," passed April 6, 1881, be amended so as to read as follows:

Section 2. When any such company completes not less than one mile of any such avenue to the acceptance of the county commissioners, or when the whole of any such avenue is completed to such acceptance by any such company, the company may erect a toll-gate thereon at, or at any point outside of, the corpo-

Erection of toll-gates on certain avenues in Montgomery county.

ration line of such city for the collection of such tolls as turnpike companies are allowed by law to collect.

Repeal.

SEC. 2. Said original section 2 is hereby repealed; and this act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 464.]

AN ACT

To amend section 3670 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3670 of the Revised Statutes of Ohio be amended so as to read as follows:

Accident insurance companies authorized; deposit of securities for the purpose of doing business in another state.

Section 3670. Companies may be organized for the special purpose of insuring persons against accidental personal injury or loss of life sustained while traveling by railroad, steamboat or other mode of conveyance, and making all and every insurance connected with the accidental loss of life, or personal injury sustained by accident, of every description whatever, and against expenses and loss of time occasioned by sickness or other disability, and on such terms and conditions, and for such periods of time, and confined to such countries and localities, and to such persons, as shall from time to time be provided for in the by-laws of the company; and when any company so organized desires to do business in any other state, by the laws of which, to qualify it therefor, it is required to make a deposit of securities assigned in trust for the benefit of its policy-holders with an officer of this state, it shall be, and hereby is made the duty of the state treasurer to receive such deposit, and issue therefor to such company his receipt, giving a pertinent description of said securities and a certificate of the market value of the same; and he shall also issue a like certificate to the superintendent of insurance, who shall place the same on file in his office. Such company shall have the right to exchange said securities for other like securities, in whole or in part, as far as its business may require, and to wholly withdraw the same should it discontinue business in such other state; but all such changes or withdrawals of securities shall be at once duly certified by the treasurer to the superintendent of insurance.

Repeal.

SEC. 2. Said original section 3670 is hereby repealed; and this act shall take effect on its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 398.]

AN ACT

To provide for the extension of the geological survey of Ohio.

- SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the governor is hereby required to appoint, by and with the advice and consent of the senate, a competent geologist whose duty it shall be to extend and complete the account of the economic geology of the state that is begun in volume V, geology of Ohio. He shall treat, in particular, of those portions of the Ohio coal-fields that have not yet been reported upon, of the production of petroleum, and inflammable gas in the state, and also of salt and bromine, the composition, structure, strength, and durability of the various building stones of the state, of the production of lime, natural cements, marls, and land-plaster, and of all other substances produced in the state that come under the head of economic geology.
- SEC. 2.** The said geologist shall have power to employ assistants, who shall work under his direction in the investigation of the several subjects to be reported upon.
- SEC. 3.** The said geologist shall receive while in the actual discharge of his duties, a monthly salary of two hundred dollars, to be paid upon vouchers signed by the governor, and the assistants shall receive monthly salaries, in no case to exceed one hundred and twenty-five dollars, to be paid upon vouchers signed by the governor and the chief geologist.
- SEC. 4.** All necessary traveling and incidental expenses incurred by the geologist and his assistants in the prosecution of this work, shall be paid from the state treasury, upon vouchers signed by the governor and the chief geologist.
- SEC. 5.** The said geologist shall enter upon his work as soon after his appointment as practicable.
- SEC. 6.** The chapter on petroleum and inflammable gas shall be prepared for publication in advance of the volume to which it belongs, and copy for the same shall be delivered by the state geologist to the supervisor of public printing on or before the first day of October, 1885; then shall be printed twenty-five hundred (2,500) copies of this chapter under the contract for state printing, but the paper, maps and illustrations shall be provided by the state geologist from the appropriation hereinafter named; the distribution of the copies published shall be made upon the same basis as that by which volume V, geology of Ohio, was distributed, except that five hundred copies shall be left with the secretary of state to be sold at cost of publication.
- SEC. 7.** The said geologist shall enter upon his work as soon after his appointment as practicable, but said work shall be completed within a year.
- SEC. 8.** There is hereby appropriated from the general revenue fund, the sum of four thousand five hundred dollars (\$4,500), that may be used for the several purposes named above,

Appoint-
ment of state
geologist;
his duties.

Assistants.

Salaries.

Expenses.

Beginning of
duties.Publication
of chapter on
petroleum
and inflam-
mable gas;
distribution.Completion
of duties.

Appropriation.

but no money shall be drawn from the treasury until the work of the survey shall have been entered upon.

SEC. 9. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 333.]

AN ACT

To amend section 4524 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4524 of the Revised Statutes be amended so as to read as follows:

Boxing or
tiling of
township
ditches.

Section 4524. At the hearing of the petition, if any person, or persons, owning or controlling lands through which the ditch will pass, make a written request to the trustees for a box, or tile ditch, through their lands, the trustees shall, if they deem the same practicable and equally beneficial, grant their request, and order that all, or any portion of such ditch may be boxed or tiled, specifying the size of the boxes or tile to be used, and the depth they shall be placed under the ground; and all expenses incurred, whether such ditch be in whole or in part a box or tile ditch, shall be apportioned according to benefits derived, as provided in section 4526 of the Revised Statutes.

Repeal.

SEC. 2. That section 4524 of the Revised Statutes be and the same is hereby repealed; and this act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 348.]

AN ACT

To supplement chapter 7, title 2, of part II, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section shall constitute a section supplementary to chapter 7, title 2, of part II, of the Revised Statutes of Ohio, with sectional numbering as follows:

Section 3561a. The provisions of this chapter, so far as the same may be applicable, shall apply also to any company organized for the purpose of supplying the public and private buildings and manufacturing establishments of all cities of the third grade of the second class, having a population not exceeding 16,000 at [the] federal census of A. D. 1880, with natural gas for fuel; but said company shall be liable for any damage that may result from the transportation of the same; provided, the township trustees shall not assent to the laying down of any line of pipes in any township of this state, as provided in sections 3550 and 3551, until the company or corporation proposing to lay the same shall obtain the assent, in writing, of a majority of the land-owners whose lands may be adjacent to the road or highway upon which said line of pipes or conductors are to be laid.

Laws made applicable to natural gas companies in certain cities.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 362.]

AN ACT

To amend section 632 of the Revised Statutes of Ohio, as amended March 25, 1884, and to repeal said section 632 and section 632a.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 632 of the Revised Statutes of Ohio be amended so as to read as follows:

Section 632. If there be a failure in any case to pay incidental expenses, or furnish the necessary clothing, the steward or other financial officer of the institution is hereby authorized to pay such expenses, and furnish the requisite clothing, and pay for the same out of the appropriation for the current expenses of the institution, keeping and reporting a separate account of the same. The account so drawn up, signed by such officer, countersigned by the superintendent, and sealed with the seal of the institution, shall be forwarded to the auditor of the county from which the person

Benevolent institutions: payment and collection of expenses of inmates by county auditors.

came, who shall pay the amount of said bill out of the county funds to the financial officer of the institution, to be audited to the current expense fund, and said auditor shall then proceed to collect the same, in the name of the state of Ohio, as other debts are collected.

Repeal.

SEC. 2. Said section 632, as amended March 25, 1884, and section 632a be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after February 15, 1886.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1151.]

AN ACT

To make appropriations to meet a deficiency and for other purposes.

Appropriation to pay claim of Benj. M. Sharp.

W. O. Tolford.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury to the credit of the general [revenue] fund, and not otherwise appropriated, the following sum of money for the purpose of paying Benjamin M. Sharp, sheriff of Jefferson county, costs in the case of the state of Ohio vs. Timothy Kelley, for conviction and transportation, the sum of one hundred and forty-nine dollars and ninety-five cents (\$149.95). The auditor of state is hereby authorized to draw his warrant on the treasurer of state for not to exceed two hundred dollars in favor of W. O. Tolford, for clerical services performed in examining and adjusting claims under "an act entitled an act to provide for the examination and payment of certain military claims against the state of Ohio," passed April 13, 1884.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 801.]

AN ACT

To amend section 4243 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-two hundred and forty-three [of the Revised Statutes] be amended so as to read as follows:

Section 4243. If either party fail to comply with the assignment, the trustees may, upon the application of the aggrieved party, authorize some person to build or repair that portion of said fence specified in the assignment to be built or repaired by the party in default; or such aggrieved party may, upon fifteen days' notice to the party in default, build or repair such fence; and the said aggrieved party or other person having so built or repaired said fence in pursuance of this section, shall present to the party in default an itemized account of the expense thereof, including labor and material; and if the same be not paid on demand, either he or the party in default may again call the trustees together, who shall examine the fence and estimate the value of such labor and material, and give a written statement thereof to each of the parties; and on failure of the party indebted to pay the award, the other may collect the same with costs by action in any court of competent jurisdiction; and in such action the assessment of the trustees shall be held to be *prima facie* evidence of the value of such labor and material. All the cost of views, assignments, reviews and other meeting of the trustees, under this and the preceding section, shall be adjudged by said trustees against the party whose fault required such meeting of the trustees, if from the fault of but one party; but if the fault be with both, the trustees shall award costs against each party equally.

Right to
build parti-
tion fence of
party in de-
fault, and to
recover
therefor.

SEC. 2. Section 4243 be and the same is repealed; and this act shall take effect and be in force from and after its passage. **Repeal.**

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 63.]

AN ACT

To amend section 164 of the Revised Statutes in relation to the charge of public land muniments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one hundred and sixty-four of the Revised Statutes of Ohio be amended to read as follows:

Section 164. He shall be the custodian of all field notes, maps, records, documents, papers and implements of every description relating to, or used in the survey of the public lands

Custody of
public land
records;
copies there-
of.

within the state which were delivered to the executive of this state by the surveyor of the United States, at Detroit, by order of the government of the United States; and also of all records of field notes and other records of papers which have been added to the first named collection; and all records of deeds and other records or papers relating to the public lands originally deposited with the governor or secretary of state; and also of the records, maps, plats, papers, documents, and implements relating to the public lands in the Virginia military district in this State, from the United States land office at Chillicothe; said records and files shall not be subject to inspection, but the auditor shall, on demand and the tender of the proper fees, furnish copies of any of them, certified under his official seal.

Repeal.

SEC. 2. That said original section 164 be and the same is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 511.]

AN ACT

To amend section 2679 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2679 [of the Revised Statutes] be amended so as to read as follows:

Appoint-
ment and
compensa-
tion of law
librarian in
Cleveland,
Toledo and
Dayton;
rooms in
Cleveland.

Section 2679. The judges of the court of common pleas of any county containing a city of either the second or third grade of the first class, or a city of the second grade of the second class, in which there is a law library association, which provides to all county officers and judges of the several courts the use of its law books free of charge, shall, upon the recommendation of the trustees of such association, appoint a suitable person as a special bailiff to act as librarian of such association, and fix his compensation at a sum not to exceed five hundred dollars, except in counties containing a city of the second grade of the first class, wherein such sum shall not exceed twelve hundred dollars, to be paid out of the county treasury. And the county commissioners of any county containing a city of the second grade of the first class, may set apart a room or rooms in the court-house of such

county, for the use of said association, and provide said room or rooms with all such book-cases and furniture as they may determine.

SEC. 2. That section 2679 is hereby repealed; and this act shall effect and be in force from and after its passage. Repeal.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 509.]

AN ACT

To amend section 3573 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three thousand five hundred and seventy-three of the Revised Statutes of Ohio be so amended as to read as follows:

Section 3573. If it be necessary to acquire any lands by appropriation, such proceedings shall be taken therefor as are provided for the appropriation of property to the use of corporations; but no lands shall be so appropriated until the probate court is satisfied that suitable premises cannot be obtained by contract upon reasonable terms, and no lands shall be appropriated upon which there is any dwelling house, barn, stable, or other farm building, or upon which there is any orchard or nursery, or any valuable mineral or other medicinal spring, or any well actually yielding oil, or salt water, unless the same shall adjoin a cemetery already located and used, on the same or opposite side of a public highway; nor shall any land be appropriated, nor any cemetery located, whether it is being established by an association incorporated for cemetery purposes, or by benevolent or religious societies, within two hundred yards of any dwelling house, unless the owner of such dwelling house give his consent, or unless the entire tract be so appropriated as a necessary addition to or enlargement of a cemetery already located and used; but in cities of the third grade of the second class, where the cemetery lies within a municipal corporation, the association may, without such consent, appropriate property within one hundred feet, or the width of a street, of any dwelling house. (72 v. 113, § 5; 76 v. 137, § 5; v. 77, p. 41.)

Appropriation of land for cemeteries.

SEC. 2. That said section three thousand five hundred and seventy-three, as amended March 9, 1880, (vol. 77, p. 41), be and the same is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed May 1, 1885.

[House Bill No. 1133.]

AN ACT

To amend an act entitled "an act to authorize the Ohio State Board of Agriculture to issue bonds for fair ground improvements," passed April 10, 1884.

State fair
ground im-
provements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to authorize the Ohio state board of agriculture to issue bonds for fair ground improvements," passed April 10, 1884, be amended so as to read as follows:

State board
of agricul-
ture may
issue bonds.

Section 1. The Ohio state board of agriculture is hereby authorized to borrow money not exceeding eighty thousand dollars, and to issue its bonds therefor, in such denominations as it may deem best, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and secure the payment of the same by a mortgage of its real estate, with the improvements thereon.

Maturity
thereof;
sale.

Section 2. Said bonds shall be payable within twenty years from their date, at such times as the said board shall direct, and shall not be sold for less than the par value thereof.

Application
of proceeds.

Section 3. The money so borrowed shall be used only for the purpose of improving the Ohio state fair grounds, owned by said board, and erecting buildings thereon.

Sinking
fund.

Section 4. For the payment of the indebtedness incurred by virtue of this act, the Ohio state board of agriculture shall create a sinking fund, in which shall be placed annually, until such indebtedness has been paid, not less than fifty per cent. of the surplus earnings of the Ohio state fair.

Repeal.

SEC. 2. Said original act, entitled "an act to authorize the Ohio state board of agriculture to issue bonds for fair ground improvements," is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 467.]

AN ACT

To amend section 4403 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-four hundred and three (4403) of the Revised Statutes of Ohio be amended so as to read as follows:

Who may
practice
medicine;
graduates
from foreign
states.

Section 4403. No person who is not a graduate of a reputable school of medicine, either in the United States or a foreign country, or who can not produce a certificate of qualification from a state or county medical society, and is not a person of good moral character, shall practice, or attempt to practice medicine

in any of its departments, or prescribe medicine for reward or compensation for any person within this state, except that when a person has been continuously engaged in the practice of medicine for a period of ten years or more, he shall be considered to have complied with the provisions of this chapter, and when a person has been in continuous practice of medicine for five years or more, he shall be allowed two years in which to comply therewith. Provided, however, that any person who shall have graduated at any school of medicine in any state or foreign country in which any condition or restriction is imposed by the laws thereof upon the practice of medicine by the graduates of medical schools in Ohio, shall be subject to the same restrictions or conditions in the practice of medicine in this state as are imposed upon such graduates of medical schools of Ohio by the laws of such state or foreign country; and a person violating this section shall not be entitled to any compensation for services rendered.

SEC. 2. Said original section 4403 of the Revised Statutes is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 2, 1885.

[Senate Bill No. 388.]

AN ACT

To amend section 5434 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5434 of the Revised Statutes be amended so as to read as follows:

Section 5434. The subsequent sections of this sub-division shall not extend to a judgment rendered on a mortgage executed by a debtor and his wife, nor to a claim for manual work or labor, less than one hundred dollars, nor to impair the lien by mortgage or otherwise, of the vendor for the purchase money of the premises in question, nor the lien of a mechanic, or other person, under any statute of this state, for materials furnished or labor performed in the erection of the dwelling-house thereon, nor for the payment of taxes due thereon.

Non-appli-
cability of
homestead
and exemp-
tion laws to
certain
claims.

SEC. 2. That said original section 5434 is hereby repealed; and this act shall take effect from and after its passage. Repeal.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 2, 1885.

[House Bill No. 1003.]

AN ACT

To grant the consent of the state of Ohio to the acquisition by the United States of certain lands within the state and bordering on the navigable rivers thereof, for the purpose of constructing canals or of erecting thereon dams, abutments, locks, lock-keepers' dwellings, offices, and all necessary structures for the construction and maintenance of slack water navigation on said rivers, and ceding jurisdiction over the same, and for imposing fines and penalties for willful injuries to the grounds, buildings and appurtenances acquired under the provisions of this act.

Consenting
to the ac-
quisition of
lands by
United
States for
canal pur-
poses; juris-
diction.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever the United States shall make an appropriation, and shall be about to begin the improvement of any of the navigable rivers within or bordering on the state of Ohio, by means of locks and permanent removable dams, or dams with adjustable chutes, or by means of a canal, the consent of the state of Ohio is hereby given to the acquisition by the United States, by purchase or by condemnation of any lands, buildings, or other property necessary for the purpose of erecting thereon dams, abutments, locks, lock-keepers' dwellings, chutes, and other necessary structures for the construction and maintenance of slack water navigation on said rivers, or for the purpose of constructing canals on the same, and the said United States shall have, hold, use and occupy the said land or lands, buildings or other property when purchased or acquired, as provided for by this act, and shall exercise jurisdiction and control over the same; but the state of Ohio reserves the right to execute process lawfully issued under its authority within and upon said grounds, rivers, sites and canals.

Condemna-
tion of such
lands.

SEC. 2. That in case of failure of the United States to agree with the owner or owners of any such lands as the United States may deem necessary for the purpose named in the first section of this act, it shall be lawful for the United States to apply for the condemnation of such land by petition to any judge of a court of record in or nearest to the county where the land may be situated, either in term time or in vacation, notice of the time and place of such application having been first duly given by publication for thirty days prior to the day of such application in two newspapers of general circulation published in the county where the land lies, or if the owner or owners reside in the state of Ohio by personal service upon the owner or owners of such land at least twenty days prior to such application. And thereupon it shall be lawful for such judge to appoint three disinterested freeholders of the county where such lands lie, as commissioners, and having been first duly sworn to well and duly appraise the damages due the owner or owners of said land proposed to be taken, shall report in writing to the said judge the amount of damages to be paid to the owner or owners of said land, which report, upon confirmation by said judge, shall be held as final and binding upon said owner or owners of said land, and upon the amount of such damages being paid to the owner or owners of said land, the title of such land shall vest in the United States, and said land shall be exempt from all taxes and assessments, so long as it shall remain the property of the United States.

SEC. 3. That if any person or persons shall willfully or maliciously injure any of the lands, buildings, or other property acquired or held under the provisions of this act, such person or persons shall be liable to a fine of not less than twenty dollars, and to an imprisonment not exceeding six months, or both, or either, at the discretion of the court, said offense to be prosecuted in any court of competent jurisdiction.

Malicious injury to property acquired hereunder; penalty.

SEC. 4. And for the purpose of enabling the United States to expend any sum of money that is or may hereafter be appropriated by Congress for the improvement of the Muskingum river, the state of Ohio hereby transfers and cedes to the United States the eleven locks and dams heretofore constructed by said state on said river, together with all the grounds, canals and appurtenances belonging to the same, subject to the provisions of the preceding sections of this act, as to the jurisdiction of the United States over the lands and buildings authorized to be acquired and constructed by said sections, and imposing penalties for injuries to said work [which] shall extend and apply to the said eleven locks and dams and their appurtenances hereby transferred and ceded to the United States, but the custody and ownership of said Muskingum river improvement shall remain in the state of Ohio, until such time as the United States appropriates sufficient money to properly improve and operate the same.

Cession of Muskingum river improvement.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 978.]

AN ACT

To amend section 5250 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5250 of the Revised Statutes be so amended as to read as follows:

Section 5250. A witness shall not be compelled to go out of the county where he resides, or may be subpoenaed, to testify on the trial of a civil action, or to give his deposition, except where cases have been removed from the county in which such witness resides, to another county, by change of venue, under provisions of law; nothing herein contained shall be construed to prevent the taking and use of depositions in such last named cases; but no

Where witness may not be compelled to attend.

witness shall be compelled to go out of his county to have his deposition taken.

Repeal.

SEC. 2. That the original section fifty-two hundred and fifty (5250) be and is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 890.]

AN ACT

To amend section 6946 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section six thousand nine hundred and forty-six (6946) of the Revised Statutes of Ohio be so amended as to read as follows:

Intoxicating
liquors not
to be sold at
certain
places; pen-
alty.

Section 6946. Whoever sells intoxicating liquors at or within twelve hundred yards of the administration or main central building of the Columbus asylum for the insane, or of the institution for feeble-minded youth, or the Ohio soldiers and sailors orphans' home, or within two miles of the boundary lines of the Ohio reform farm, south of Lancaster, Fairfield county, or within two miles of the place where any agricultural fair is being held, shall be fined not more than one hundred or less than twenty-five dollars, or imprisoned not more than thirty days, or both, and on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold, shall, by order of the court, be shut up and abated as a nuisance.

Repeal.

SEC. 2. That original section 6946 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 642.]

AN ACT

To amend sections 6000 and 6005 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections sixty hundred and sixty hundred and five [of the Revised Statutes] be amended so as to read as follows:

Section 6000. If any person who is named as executor in the will of a decedent shall refuse to accept the trust, or, if after being duly cited for that purpose, shall neglect to appear and accept, or if he shall neglect for twenty days after probate of the will to give bond, as before prescribed, the court shall grant letters testamentary to the other executor, if there be any capable and willing to accept the trust, and if there is no such other executor named in the will, the court shall commit administration of the estate, with the will annexed, to such person as would be entitled thereto if the deceased had died intestate.

If executor renounces, etc., administration to be granted.

Section 6005. Administration of the estate of an intestate shall be granted to some one or more of the persons hereinafter mentioned; and they be respectively entitled thereto in the following order, to-wit:

To whom letters of administration shall be granted; application.

First The husband or widow of the deceased, or next of kin, or both, as the court may think fit; and if they do not voluntarily either take or renounce the administration, they shall, if resident within the county, be cited by the court or notified by a party in interest for that purpose.

Second. If the persons so entitled to administration are incompetent, or evidently unsuitable for the discharge of the trust, or if they neglect, without any sufficient cause, to take administration of the estate, the court shall commit it to one or more of the principal creditors, if there be any competent and willing to undertake the trust.

Third. If there be no such creditor, and the court is satisfied the estate exceeds the value of one hundred dollars, the court shall commit administration to such other person as it shall think fit; provided, however, that letters of administration shall not be issued upon the estate of an intestate until the person to be appointed has made and filed an affidavit that there is not, to his knowledge, any last will and testament of the alleged intestate; provided, further, that every person, before being appointed executor or administrator, shall make and file an application under oath, which shall contain the names of the husband or widow, and all the next of kin of the deceased, to such person known, their postoffice address, if known, and also a statement in general terms as to what the estate consists of, and the probable value thereof.

Sec. 2. That said original sections numbered 6000 and 6005 be and the same are hereby repealed. Repeal.

Sec. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed May 2, 1885.

[House Bill No. 574.]

AN ACT

To amend sections 7039 and 7041 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 7039 and 7041 of the Revised Statutes of Ohio be and they are hereby amended so as to read as follows:

Accepting
money, etc.,
for vote, in-
fluence or
services at
elections;
penalty.

Section 7039. Whoever asks, takes, or receives any money, property, fee or reward of any kind or nature, directly or indirectly, for his vote, or for his influence in favor of any candidate, or for any labor or service rendered, or to be rendered to any candidate for nomination at any election, held under the provisions of law, relating to primary elections, or at any primary election held by any political party, whether the same be held in pursuance of the laws relating to primary elections within this state or otherwise, shall be fined not less than one hundred dollars, or imprisoned in the penitentiary not more than two years nor less than one year.

Same at po-
litical con-
ventions.

Section 7041. Whoever, being a delegate to any convention, held within this state by any political party, asks or receives, directly or indirectly, any reward, fee, money or other property, for his vote, or for his influence in favor of any candidate, or for any labor or service rendered, or to be rendered to any candidate for nomination to any office whatsoever, or for any expenses incurred, shall be fined not more than five hundred dollars, or be imprisoned in the penitentiary not more than five years nor less than two years.

Repeal.

SEC. 2. The said original sections 7039 and 7041 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1044.]

AN ACT

To provide for the appointment of [a] tax commission in counties having a population of 33,511 at the last federal census, and to repeal an act therein named.

Appoint-
ment of tax
commission
for Ports-
mouth and
Scioto
county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in every county in this state, which had, by the federal census of 1880, a population of 33,511, there shall be appointed and organized, as hereinafter provided, a tax commission for said county and for any city situate therein, consisting of three members, who shall be appointed by the court of common pleas, within and for said county, or a resident judge thereof in

vacation, in the manner following, to-wit: At the April term of said court, A. D. 1885, unless sooner appointed, said court shall appoint one member of said tax commission to serve for the term of one year, one member to serve for the term of two years, and one member to serve for the term of three years, and their successors from year to year shall be appointed for the full term of three years by said court at the term thereof within said county next preceding the first Monday of May in each year. A minute of said appointment shall be kept by the clerk of said court, and a notice thereof shall issue to the sheriff of said county, who shall forthwith serve the same on each person so appointed. Said sheriff shall be allowed out of the county treasury, upon approval of the court of common pleas, the same compensation for serving the members of said commission as is allowed by law for the service of subpoenas. No person holding any other public office within and for said county or city, shall be eligible to serve as a member of said commission, and such appointments shall be so distributed that each political party shall be represented in said commission as nearly as may be in proportion to its average vote, but nothing herein shall prevent the appointment of persons who act independent of political organizations, the object of this provision being to make and continue said commission non-partisan in its political character.

SEC. 2. Each member, before entering upon the discharge of the duties of his said office, shall take and subscribe an oath, that he will honestly and faithfully discharge the duties of said office without regard to personal or political gain or advantage, but with reference alone to the public service. The term of office of the members of said commission shall commence on the third Monday of May, upon which day, in the year 1885, said commission shall meet and organize; the member having the shortest term to serve shall be president, and in his absence, or on vacating the chair, the member present having the next shortest term shall act as president pro tem. The auditor of said county shall be ex-officio clerk of said commission, and he shall keep a journal of the proceedings of said commission; his entries therein shall be read and approved by the commission and signed by the president, or in his absence by the president pro tem, and countersigned by said clerk, and thereupon said journal and all transcripts therefrom, duly certified by said clerk, shall be taken as evidence in any of the courts of this state. Said members shall receive no compensation for their services; a reasonable allowance shall be made to said clerk for his services, as such, not exceeding twenty dollars in any one month.

SEC. 3. Said commission shall adopt rules and regulations for the transaction of its business in accordance with general parliamentary usage, shall hold meetings as often as once in each month, and a meeting may be called by the president or clerk whenever matters submitted to said board require immediate action.

SEC. 4. No tax shall be levied upon the property within said county, by the county commissioners thereof, or upon the property of any city, township or school district within said county by any board or authority, authorized by law to levy taxes, until approved by the said tax commission. All levies so proposed to be made

by the said authorities, shall be submitted to said commission on or before the second Monday of June in each year, and said board shall carefully examine the same, and said levies shall be returned within ten days from their receipt by said commission to the auditor of said county, with the approval, revision or rejection of the same, and if not returned within ten days, the levies originally made shall be valid and in force. On or before the third Monday of May in each year, the commissioners of said county as commissioners and as turnpike directors, the city council of the city within said county, and the board of education of said city, and of said school districts, shall cause to be filed in the office of the auditor of said county an itemized statement of the expenditures of such board or organization for the preceding year, and also a detailed estimate of the amount necessary to be expended during the ensuing year, (commencing March 1st), stating the object and necessities of such estimated expenditures; and said auditor shall, from such reports and from the records of his office, make out and file with said commission a detailed statement of the expenditures of said several boards of said county or city or other authority authorized to expend money in said county or city as aforesaid for the preceding year, and a detailed statement of all estimated expenditures for the ensuing year, with the objects and necessities of such estimated expenditures reported to him, and such suggestions in regard thereto as said county commissioners or said auditor may desire to add.

SEC. 5. The members of said tax commission shall hold their meetings in the auditor's office of said county, and their reasonable expenses shall be paid, and stationery furnished as for other officers of said county. When any vacancy in said tax commission shall occur in any manner other than the expiration of a term of office, the president of said commission shall give notice of said vacancy to the probate judge of said county, who shall thereupon fill said vacancy for said unexpired term by appointment in the manner provided in section 1 of this act. It shall require a majority of the said commission to approve, revise, or reject any tax levy, or to approve the anticipation of taxes.

SEC. 6. No contract shall be entered into, or any liability created, by said county commissioners, or turnpike directors, city council or other board or organization in said city, or by any township or school board, beyond the amount of money in the treasury of said organizations or boards set apart to meet such liability or to pay for said contract. Provided, that for the period of three years after the passage of this act, it shall be lawful for the county commissioners to anticipate, in case of emergency, by and with the consent of the tax commission, taxes levied by said county commissioners, but said anticipation shall in no case exceed fifty per cent. of the amount raised by taxation semi-annually. Any contract or obligation entered into, contrary to the provisions of this section, shall be void as against the board or organization in whose name it is made, but shall be binding on the persons making it.

SEC. 7. Whenever information on oath has been filed in the court of common pleas of said county that any contract has been made in violation thereof, it shall be the duty of the prosecuting

attorney of said county, under instructions of the judge of said court, to institute suit in the name of the state of Ohio, in the court of common pleas of said county, for the recovery of the amount of said liability or contract against the person or persons belonging to the board or organization making said contract or liability. And the amount so recovered shall be placed to the credit of the board or organization for whom the suit is brought.

SEC. 8. That an act entitled "an act to provide for the appointment of a board of control in counties having a population of 33,511, at the last federal census," passed April 12, 1884, be and the same is hereby repealed.

Repeal.

SEC. 9. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[Senate Bill No. 448.]

AN ACT

To amend section 670 of the Revised Statutes of Ohio, as amended March 19, 1880, (O. L. v. 77, p. 75).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 670 of the Revised Statutes of Ohio be so amended as to read as follows:

Section 670. Compensation shall be paid the following named officers and employes, at not exceeding the sums herein stated: To the matron, four hundred dollars per year; to the assistant matrons, three hundred dollars each per year; the housekeeper, three hundred dollars per year; the senior teacher in the literary department, eight hundred dollars per year; the second senior teacher in the literary department, seven hundred dollars per year; all other teachers in the literary department, four hundred and fifty dollars each per year; the professor of music, one thousand dollars per year; one teacher of music, five hundred dollars per year; all other teachers of music, three hundred dollars each per year; the teacher of bead work, one hundred and fifty dollars per year; the foreman of broom shop, six hundred dollars per year; and the engineer, one thousand dollars per year.

Compensation of officers and employes of blind asylum.

SEC. 2. That said amended section 670 be and the same is hereby repealed.

Repeal.

SEC. 3. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1142.]

AN ACT

To authorize any city of the third grade of the first class to issue bonds for the purpose of extending time of payment of bonds and other indebtedness accrued prior to and maturing in 1885, in excess of revenues for the year.

City of
Toledo au-
thorized to
issue bonds
to extend
time of cer-
tain indebt-
edness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of extending time of payment of bonds and other indebtedness outstanding prior to and maturing during the year 1885, in excess of revenues for the year, from taxes and assessments not especially provided for current expenses of departments of the city, any city of the third grade of the first class is hereby authorized to issue the bonds thereof in the aggregate, (including such refunding bonds as shall have been issued during the year,) not to exceed two hundred and fifty thousand dollars (\$250,000); and provided, that the indebtedness of such city at the close of the year 1884, shall not be increased by the issue of bonds hereby authorized, which bonds may be issued to run such length of time and at such rate of interest, not exceeding five per centum per annum, payable semi-annually, as the common council of such city shall determine by ordinance passed for their issue.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1166.]

AN ACT

Providing payment for the completion, by the chief clerks of the senate and house of representatives, of the record of the journals of the present session.

Appropriation for chief clerks of House and Senate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the chief clerks of the senate and house of representatives, respectively, be and they are hereby allowed the sum of one thousand dollars (\$1,000) for completing the record of the journals of the senate and house of representatives for the present session.

SEC. 2. That for the purpose of carrying into effect the provisions of the foregoing section, there be and is hereby appropriated out of any funds in the state treasury to the credit of the legislature, the sum of two thousand dollars, one thousand dollars

thereof payable to the chief clerk of the senate, and the remaining one thousand dollars to the chief clerk of the house of representatives, as aforesaid.

SEC. 3. The money herein appropriated shall be paid, at the rate of five dollars per day, as the work of completing said records progresses, but the aggregate amount thereof shall not be paid until said work shall have been fully completed; and the auditor of state is hereby authorized to draw his warrant, from time to time, on the treasurer of state in favor of said clerks, upon the presentation by them of proper vouchers, duly certified by said clerks to be correct, for such sum as may be therein designated, until the aforesaid sum of one thousand dollars to each shall have been fully paid.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[Senate Bill No. 544.]

AN ACT

To appropriate fifteen hundred dollars for the purpose of carrying out the recommendations of the "board of visitors of the Ohio soldiers and sailors orphans' home."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of carrying out the recommendations of the board of visitors of the Ohio soldiers and sailors orphans' home, made April 16, 1885, there be and is hereby appropriated out of any moneys in the treasury belonging to the general revenue fund, and not otherwise appropriated, the sum of fifteen hundred dollars.

Recommendations of Board of Visitors of O. S. and S. O. H.: appropriation.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 627.]

AN ACT

To amend section 4134 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-one hundred and thirty-four of the Revised Statutes be so amended as to read as follows:

Recording
of deeds
and instru-
ments for
the convey-
ance or in-
cumbance
of lands.

Section 4134. All other deeds and instruments of writing for the conveyance or incumbrance of any lands, tenements, or hereditaments, executed agreeably to the provisions of this chapter, shall be recorded in the office of the recorder of the county in which the premises are situated, and until so recorded or filed for record, the same shall be deemed fraudulent, so far as relates to a subsequent bona fide purchaser having, at the time of purchase, no knowledge of the existence of such former deed or instrument.

Repeal.

SEC. 2. That said original section 4134 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after the first day of July, A. D. 1885.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 531.]

AN ACT

To amend section 6710 of the Revised Statutes, as amended
February 7, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6710 of the Revised Statutes of Ohio, as amended February 7, 1885, be amended so as to read as follows:

Jurisdiction
of supreme
court in er-
ror; finding
of facts by
circuit court.

Section 6710. A judgment rendered, or final order made, by the circuit court, any court of common pleas, probate court, or the superior court of any city or county, may be reversed, vacated or modified by the supreme court, on petition in error, for errors appearing on the record; but no petition in error, in such cases, except as to the judgment or final order of the circuit court, shall be filed, without leave of the supreme court, or a judge thereof, and the supreme court shall not, in any civil cause or proceeding, except when its jurisdiction is original, be required to determine as to the weight of the evidence; and on application of any party, excepting to a ruling or decision of the circuit court during the trial, or on motion for a new trial, such court shall find from the evidence, and state on the record, the facts upon which the

alleged error arises, or which may be material in determining whether error has intervened or not.

SEC. 2. Said original section 6710 of the Revised Statutes of Ohio, as amended February 7, 1885, be and the same is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK.

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 284.]

AN ACT

To amend section 3659 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand six hundred and fifty-nine (3659) of the Revised Statutes be amended so as to read as follows:

Section 3659. If any such company, association, or partnership doing business within this state, make an application for a change of venue, or to remove any suit or action to which it is a party, heretofore or hereafter commenced in any court of this state, to the United States district or circuit court, or to any federal court, or shall enter into any compact or combination with other insurance companies, or shall require their agents to enter into any compact or combination with other insurance agents or companies, for the purpose of governing or controlling the rates charged for fire insurance on any property within this state, the superintendent of insurance shall forthwith revoke and recall the license or authority to it to do or transact business within this state, and no renewal of authority shall be granted to it for three years after such revocation; and it shall thereafter be prohibited from transacting any business in this state until again duly licensed and authorized.

Revocation
of license of
foreign insu-
rance com-
pany other
than life.

SEC. 2. That said original section be and the same is hereby repealed. Repeal.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 473.]

[CINCINNATI AND CLEVELAND.]

AN ACT

To provide for ascertaining the citizens who shall be entitled to vote in cities of the first and second grades of the first class, by amending and supplementing section 2926 of the Revised Statutes.

Registration
law.

Election pre-
cincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926 of the Revised Statutes, as amended March 31, 1881, be amended and supplemented as follows:

Section 2926. In cities of the first grade of the first class, when more than six hundred ballots are cast at any election in any ward, or in any election precinct of any ward, the council shall divide such ward or such precinct into two or more election precincts, so as to limit as nearly as practicable the number of voters in each to three hundred. If council shall fail for sixty days after any election to so divide any such ward or election precinct, the mayor of such city shall thereupon divide the same in accordance with the requirements herein, and give notice thereof by proclamation containing the boundaries and designation of every such precinct, and the place of holding elections therein, which proclamation shall forthwith be published in some newspaper in general circulation in such city, and shall be recorded in the ordinance record thereof; and if, upon request of any five freehold electors, the mayor shall fail for a period of ten days to perform the duties herein imposed, he shall forfeit and pay, at the suit of any such electors, to be prosecuted in any court of competent jurisdiction, the sum of one hundred dollars per day, for the equal benefit of the city and suitor. But in any city of the second grade of the first class the common council thereof may at any time divide any ward into as many voting precincts as said common council may deem proper.

Appoint-
ment of reg-
isters.

Section 2926a. That in cities of the first and second grades of the first class the common council shall, on or before the sixth Monday next preceding the general election in October of each year, appoint one suitable person from each of the two opposing political parties which cast the greatest number of votes at the then next preceding general election, to be called registers, for each election precinct in such cities, for the registration of voters therein; said registers shall be electors of the election precincts in which they shall act; shall be of good reputation and character, and able to read, write, and speak the English language understandingly; shall hold their offices for one year, and shall take an oath or affirmation to discharge their duties according to law. If for any cause such registers or any of them shall not be so appointed at or before the time above mentioned, or, if appointed, shall be unable for any cause to discharge the duties of such office, the mayor of every such city shall forthwith make such appointments, and shall also fill all vacancies, and persons so appointed by the mayor shall have the same qualifications, shall hold their offices for the same time, and shall be subject to the same duties as if appointed by the common council, except that all appointments in cases of vacancies shall be for the unex-

pired terms of office. And should the mayor, upon request of five freehold electors, fail for a period of three days to perform the duties aforesaid, he shall be subject to the same forfeitures in the same character of actions as are prescribed by section 2926 for failure of duty.

Section 2926b. The place for the registration of voters in and for every election precinct in the cities mentioned in the last preceding section, shall be the usual place of holding elections therein. The registers shall be in attendance at their respective places of registration on the third Thursday next preceding every general election in April, October, and November, from eight o'clock a. m. until nine o'clock p. m., for the purpose of registering voters, and, if necessary to give all making application an opportunity to register, they shall continue in attendance thereat between the hours aforesaid for five days, and shall personally supervise all registration. Said registers shall be in constant attendance during the hours allotted for the discharge of their duties.

Place and
time of reg-
istration.

Section 2926c. Any person, to be entitled to vote at any of the elections mentioned in the last preceding section, shall appear before the registers of the election precinct where he is entitled to vote, at the time and place designated for registration of voters, and make and subscribe a statement in a suitable registration book, to be provided for the purpose by the city clerk, and furnished to the registers at the expense of the city, and by them kept open for public inspection and examination during the times fixed for registration, which statement shall contain the following: The residence of such person, by the name of the street; the number of the dwelling, if there be one; the number of the room, if the dwelling place be in a hotel or tenement, or by other definite description; the last preceding place of residence and date of removal, where such removal has occurred within the preceding year; his age, and whether married or unmarried. Such statements shall be dated and numbered consecutively, beginning with number one, each time for registration aforesaid. And the registers shall, on demand, make, over their own signatures, from a suitable stub-book, to be furnished as prescribed in respect to the book first herein mentioned, and deliver to any person so registered before them a corresponding certificate, with a like number and date. No person shall register at any other place than as above designated, or at any other time, except as hereinafter provided. At the close of each day's registration, the registry shall be ruled off to prevent fraudulent entries, and after the completion of the final registration and the certified copy provided for in section 2926e, the registers shall forthwith return the registration and stub-books to the city clerk, who shall keep the same at all times open to public inspection.

Manner and
mode of con-
ducting
same; certifi-
cates; return
to city clerk.

Section 2926d. The registers shall, within three days after the registration aforesaid has been made, prepare an alphabetical list for their respective voting precincts of the names of all persons so registered, their residences, their last preceding places of residence, and the dates of removal, where removals occurred within one year, which list they shall forthwith post or cause to be posted up

List of per-
sons regis-
tered by
precincts.

Revision of
lists; deliv-
ery to judges
of election;
conduct of
elections;
returns to
city clerk.

conspicuously at the usual place of holding elections at such precinct, for the inspection of the public.

Section 2926e. Registers shall be in attendance again at their respective places for the registration of voters on the Wednesday of the week preceding the day of each general election, in April, October, and November, for the purpose of revising or correcting the lists aforesaid. And for this purpose they shall meet at nine o'clock in the forenoon, and remain in session until eight o'clock in the evening of that day; and they shall there revise, correct, add to and strike from and complete the said lists, and shall on that day receive and add to the said lists the names of any persons who would, on said election days, be entitled, under the provisions of the constitution and the laws of this state, to exercise the right of suffrage in their election precincts. Upon the revision and completion of each of said lists, the registers shall make a copy thereof, which, duly certified by the registers, with the proper number and date of registry in each case added, the registers shall deliver or cause to be delivered to the judges of election of the proper precinct on every such election day, before the opening of the polls. The judges of election shall carefully preserve the said lists for their use on election day, and designate one of their number, or one of the clerks, at the opening of the polls, to check the name of every voter voting in such precinct, whose name is on the register; no vote shall be received at any election aforesaid unless the name of the person offering to vote be on said registry made and completed as before provided, preceding the election; a person whose name is on the registry may be challenged, and the same oath shall be put, and the same proceedings had, as are prescribed by law for all such cases. This section shall be taken and held by every judicial and other tribunal as mandatory and not as directory. And any vote which shall be received by the judges of election in contravention of any provisions of this act shall be void, and shall be rejected from the count in any legislative or judicial proceedings wherein any result of the election is involved; provided, that any person having been duly registered in a precinct as herein required, and having thereafter removed to another precinct or ward, wherein he offers to vote, and being otherwise qualified and authorized by law to vote, in view of such removal, shall, on presenting the certificate of the registers, which, under section 2926c hereof, he has a right to demand, in such former precinct, and stating under oath that the same is true and correct, be entitled to vote.

Removals
after regis-
tration.

The judges of election shall deliver the lists aforesaid to the city clerk with the returns of the election.

Proceedings
of registers;
conduct of
making and
revising
lists.

Section 2926f. The proceedings of said registers shall be open, and all persons entitled to vote in said precinct shall have the right to be heard by said registers in reference to corrections or additions to said lists. No name shall be placed upon any such list of the names of persons, nor shall any name be added thereto, except of one who shall have appeared in person before the said registers, and shall have furnished, upon demand and to the satisfaction of the registers, the same proofs of his right to register as may by law be required by judges of election of any person desiring to vote. Any one of the registers may at any time admin-

ister an oath or affirmation to any applicant, that he shall true answers make to all questions put to him touching his qualifications as an elector.

Section 2926g. That if any register shall fail to perform any duty in any of the preceding sections of this act prescribed, he shall be liable to a penalty of one hundred dollars, to be recovered on complaint of any person, before any court of competent jurisdiction; and if any register or judge of election shall willfully neglect or disregard any duty imposed in any of said sections, or make or permit to be made any registration, statement or list, except at the time and place and in the manner in said sections prescribed, or shall knowingly make or permit to be made any false statement, as aforesaid, or if any person shall willfully make, or authorize to be made any statement in said sections required, false in any particular, or shall violate any provisions thereof, every such register or judge of election, and every such person or persons, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than twenty dollars, nor more than one thousand dollars, or be imprisoned in the county jail not less than ten days and not more than one year, or both, at the discretion of the court.

Section 2926h. Registers shall be allowed by every such city for the services rendered under the preceding sections, such compensation per diem as is allowed by law to judges of election.

Section 2926i. The places of holding elections in every ward and precinct shall be designated and published by the council as provided by law in other cases. The times and places of making registrations of voters shall be published by the mayor in the several daily newspapers published in every such city, for a period of three days prior to the opening of the registry book, inviting the voters to present themselves for registration at their respective precincts within the proper time, under penalty of being debarred the privilege of voting at such election.

Section 2926j. That during the receiving and counting of the ballots in any voting precinct in any city of the first and second grades of the first class, it shall be unlawful for persons to congregate or loiter within one hundred feet of the voting place, or to hinder or delay in any manner, any elector in reaching or leaving the place fixed for casting his ballot. It shall be unlawful for any person, within said distance of one hundred feet, to give, or offer to give any ticket or ballot to any one not a judge of election, or to fold or unfold or display any ballot which he intends to cast, so as to reveal its contents, or to request or demand of any elector that he shall exhibit his ballot or make known its contents, or to solicit the vote of any elector, or attempt in any way to influence him in the matter of casting his vote. The judges of election shall, as far as practicable, prevent any violation of this section, and they and each of them shall order the arrest of any person guilty of violating any of its provisions, or guilty of any breach of the peace, or of provoking a breach of the peace, or of disorderly conduct, and all policemen and all other persons are authorized and required to obey the lawful orders and commands of said judges of election, given to prevent violations of this section. But orders for the arrest of such persons shall not prevent

Penalty for misfeasance or non-feasance on the part of registers or judges of election; for false registration.

Registers' compensation.

Notice of registration and places of holding elections.

Certain things made unlawful near a voting place; duty of judges of election, and of police under control of the mayor; penalty; proviso.

them from properly casting their votes. The mayor is authorized and required to employ the police force of any such city to prevent the violation of any of the terms, provisions or requirement of this section, or of any order or command made in pursuance of any provision hereof, and every person violating or attempting to violate any of such terms, provisions, requirements, orders or commands, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof; be punished as provided in the last penal clause of section 2926g: Provided, that nothing in this section shall be construed to prohibit the presence at the polls of any persons who are authorized by law to perform, or charged likewise with the performance of, official or police duties at the elections, or of any persons not exceeding three from each political party having candidates to be voted for at such elections, to act as challenging committees, who are duly appointed and accredited by the principal committee of such political parties or organizations, respectively, or of persons not exceeding three from each of such political parties, appointed and accredited in the same manner as before prescribed for challenging committees, to witness the counting of ballots.

Repeal.

SEC. 2. That said section 2926, as amended March 31, 1881, is hereby repealed; and this act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 751.]

AN ACT

To amend an act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 24, 1884, (81 O. L., 72.)

Penitentiary SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section eight of said act be amended so as to read as follows:

Power to release certain prisoners on parole; power to reimprison same.

Section 8. That said board of managers shall have power to establish rules and regulations under which any prisoner who is now, or hereafter may be, imprisoned under a sentence other than for murder in the first or second degree, who may have served the minimum term provided by law for the crime for which he was convicted, and who has not previously been convicted of a felony, and served a term in a penal institution, may be allowed to go upon parole outside of the buildings and enclosures, but to remain, while on parole, in the legal custody and under the control of the board, and subject at any time to be taken back within the enclosure of said institution; and full power to enforce such rules

and regulations, and to retake and reimprison any convict so upon parole, is hereby conferred upon said board, whose written order, certified by its secretary, shall be a sufficient warrant for all officers named therein, to authorize such officer to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process.

SEC. 2. Every person who, after having been twice convicted, sentenced and imprisoned in some penal institution for felony, whether committed heretofore or hereafter, and whether committed in this state or elsewhere within the limits of the United States of America, shall be convicted, sentenced and imprisoned in the Ohio penitentiary for felony hereafter committed, shall be deemed and taken to be an habitual criminal, and on the expiration of the term for which he shall be so sentenced, he shall not be discharged from imprisonment in the penitentiary, but shall be detained therein for and during his natural life, unless pardoned by the governor, and the liability to be so detained shall be and constitute a part of every sentence to imprisonment in the penitentiary; provided, however, that after the expiration of the term for which he was so sentenced, he may, in the discretion of the board of managers, be allowed to go upon parole outside of the buildings and enclosures, but to remain while on parole in the legal custody and under the control of said board, and subject at any time to be taken back within the inclosure of said institution; and power is hereby conferred upon said board to establish rules and regulations under which such habitual criminals who are prisoners may so go out upon parole, and full power to enforce such rules and regulations, and to retake and reimprison any such convict so going out on parole, is hereby conferred upon said board, whose written order, certified by its secretary, shall be sufficient warrant to authorize any police officer to return to actual custody any such conditionally released or paroled prisoner; and it is hereby made the duty of all chiefs of police and marshals of cities and villages, and the sheriffs of counties, and of all police officers and constables, to execute any such order in like manner as ordinary criminal process, and for the performance of such duty, the officer performing the same shall be paid by said managers, for his services, such reasonable compensation as is provided by law for similar services in other like cases.

Habitual criminals: who to be so regarded; detention at expiration of sentence; release on parole; reimprisonment of same.

SEC. 3. Section eight of the said act, passed March 24, 1884, entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," is hereby repealed.

Repeal.

SEC. 4. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 748.]

AN ACT

To amend section 6961 of the Revised Statutes of Ohio, as amended April 3, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6961 of the Revised Statutes of Ohio be amended [so] as to read as follows:

Providing for the protection of game in certain seasons, and against certain means of destroying same; penalty.

Section 6961. Whoever, in any place, catches, kills, or injures, or pursues with such intent, any quail or prairie chicken, except between the first and thirteenth days of November each year inclusive; or any wild turkey, between the fifteenth day of January and the last day of October, inclusive; or any ruffed grouse or pheasant, or blue-winged teal, between the first day of January and the last day of August, inclusive; or any mallard or wood duck, between the first day of April and the last day of August, inclusive; or any wild duck, between the fifteenth day of April and the fifteenth day of September, inclusive; or any gray or fox squirrel, between the first day of February and the first day of June, inclusive; or any woodcock, between the first day of January and the third day of July, inclusive; or catch by trap or snare at any time any quail or Virginia partridge, or upon waters, bays, rivers, estuaries, marshes, mud flats, or in any cover to which wild fowls resort, by the aid or use of any swivel or punt-gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of, or from any sink-boat or battery, kills or wounds, or pursues with such intent, any wild goose or brant, or wild duck, or any other water fowls, or destroys or disturbs the eggs of any such birds, shall be fined not more than twenty-five nor less than five dollars, or be imprisoned not more than thirty days, or both.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1051.]

AN ACT

To regulate conditional rates and sales of personal property, and to provide for filing instruments pertaining to the same with certain officers, and making a violation thereof a misdemeanor.

Conditional sales of personal property: condition when void; evidence of condition; filing of statement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cases where any personal property shall be sold to any person, to be paid for in whole or in part in installments, or shall be leased, rented, hired or delivered to another on condition that the same shall belong to the person purchasing, leasing, renting, hiring, or receiving the same whenever the

amount paid shall be a certain sum, or the value of such property, the title to the same to remain in the vendor, lessor, renter, hirer or deliverer of the same, until such sum or the value of such property or any part thereof shall have been paid, such condition, in regard to the title so remaining until such payment, shall be void as to all subsequent purchasers, and mortgagees in good faith, and creditors, unless such condition shall be evidenced by writing, signed by the purchasers, lessor, renter, hirer or receiver of the same, and also a statement thereon, under oath, made by the person so selling, leasing, or delivering any property as herein provided, his agent or attorney of the amount of the claim, or a true copy thereof, with an affidavit that the same is a copy, deposited with the clerk of the township where the person signing the instrument resides at the time of the execution thereof, if a resident of the state, and if not such resident, then with the clerk of the township in which such property is sold, leased, rented, hired, or delivered is situated at the time of the execution of the instrument; but when the person executing the instrument is a resident of a township in which the office of county recorder is kept, or when he is a non-resident of the state, and the property is within such township, the instrument shall be filed with the county recorder; and the officer receiving any such instrument shall proceed with the same in all respects as he is required to do by section 4152 of the Revised Statutes of Ohio, and shall receive the same fees as are allowed by law for similar services in other cases.

SEC. 2. Whenever such property is so sold or leased, rented, hired or delivered, it shall be unlawful for the vendor, lessor, renter, hirer or deliverer, or his or their agent or servant, to take possession of said property without tendering or refunding to the purchaser, lessee, renter or hirer thereof, or any party receiving the same, the sum or sums of money so paid after deducting therefrom a reasonable compensation for the use of such property, which shall in no case exceed fifty per cent. of the amount so paid, anything in the contract to the contrary notwithstanding, and whether such condition be expressed in such contract or not, unless such property has been broken or actually damaged, and then a reasonable compensation for such breakage or damage shall be allowed.

SEC. 3. Any person violating any of the provisions of section two of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not more than one hundred dollars.

SEC. 4. That this act shall take effect and be in force from and after the first day of July, 1885.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

Vendor of property conditionally sold may not re-take possession without repaying certain part of price paid.

Penalty.

[House Bill No. 873.]

AN ACT

To amend section 5339e of the act entitled "an act to amend section 5084 and section 907, as amended April 2, 1880, (77 O. L., 113), and to supplement sections 5339, 528, 907, 4935 and 7092 of the Revised Statutes of Ohio," as passed April 12, 1884, (81 O. L., 159).

Hamilton
county rec-
ords.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-three hundred and thirty-nine (e), of the Revised Statutes of Ohio, passed April 12, 1884, be amended so as to read as follows :

Costs of re-
storing lost
records.

Section 5339e. The costs to be taxed upon an application to restore a lost or destroyed record, shall be the same as provided for like services in civil actions. Where the record is lost or destroyed by fire, riot or civil commotion, or other cause, the cost of replacing and restoring the same, as provided in sections 5339a and 5339b shall be paid out of the county treasury by order of the court. And in any case where original papers and records have been saved from such destruction, riot, civil commotion, or other cause, and the appearance dockets have been destroyed, and in cases where such records saved should be re-copied, the court may order that the clerk of the courts restore such original papers upon the appearance docket, the re-copying of the records, the replacing of the appearance dockets, indexes thereto and such matters as the court shall deem necessary, and the costs thereof shall be the same as are provided for like services in civil actions, and shall be paid out of the county treasury by order of the court, to be paid into the fee fund as other fees. Whenever the county commissioners and clerk of the courts or majority of them shall be satisfied that any company or persons shall have true copies of any records they shall deem necessary to restore, the commissioners of Hamilton county, in conjunction with the clerk of the courts of said county, be and they are hereby authorized to purchase from any company, persons or person having true copies of such records, copies of such books, or of so much thereof as they may deem necessary or useful, which copies shall be transcribed by the clerk to the record books provided for that purpose in his office. Such books shall be carefully compared with the original books of any such company, person or persons, having the name in such manner as the clerk may direct; and on the last page of such books the person or persons making such comparison shall make and subscribe an affidavit to the fact of such comparison having been made and that such book contains true copies of the original abstracts. The said books shall be kept by the county clerk as other records in his office, and thereafter they, and properly certified transcripts therefrom, shall be prima facie evidence in all courts of the state, of the truth of the matter therein set forth. The commissioners, without the approval of the board of control of said county, for the purpose of defraying the expense of said purchase, shall draw their warrants upon the county treasurer, which shall be paid from such fund as said commissioners shall designate.

Order for
such restora-
tion.

Purchase of
attested
copies; their
value as evi-
dence; pay-
ment there-
for.

Repeal.

SEC. 2. That section 5339e of the act entitled "an act to amend section 5084 and section 907, as amended April 2, 1880,

(77 O. L. 113), and to supplement sections 5339, 528, 907, 4935 and 7092 of the Revised Statutes of Ohio," as passed April 12, 1884, (81 O. L., 159), be and the same is hereby repealed.

Sec. 3. This act to take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 508.]

AN ACT

To define and punish the offense of sodomy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whoever shall have carnal copulation against nature, with another human being or with a beast, shall be deemed guilty of sodomy, and shall, on conviction thereof, be imprisoned in the penitentiary not more than twenty years. Offense of sodomy.

Sec. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1034.]

AN ACT

To authorize certain municipal corporations to contract for a water supply, and to levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any municipal corporation, which, by the federal census of 1880 had, and these which, hereafter, on the first day of March, in any year, as ascertained by any federal census, may have a population of nine thousand six hundred and three, is hereby authorized to contract with some good, solvent, incorporated water company to supply the corporation with water for fire purposes, streets, squares or other public places, city buildings, public schools or other public buildings, within the corporate limits of said city, and also to supply the citizens of such corporation with water, or all, any, or either of them, for any term, not exceeding the period for which a

Authorizing a certain city to contract for a water supply, and to levy a tax therefor.

franchise to a company for a water supply may be granted, and the council of any such corporation is hereby authorized and empowered to levy and collect annually such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed three mills, as the council may determine, additional in rate and amount to the aggregate rate, and the aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation; provided, that no such contract and additional tax shall be binding upon any such municipal corporation, until the same shall have been ratified and adopted by a vote of the electors thereof at a special or general election.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 425.]

[CINCINNATI.]

AN ACT

To amend section 2446 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two thousand four hundred and forty-six of the Revised Statutes of Ohio be amended so as to read as follows:

Limitation
on power of
board of fire
commission-
ers; applica-
tion of pro-
ceeds of cer-
tain lands.

Section 2446. The board shall have no power to incur any liability on behalf of the city beyond the amount levied or appropriated to its order by the common council; and the purchase of any additional ground, building any new house or apparatus, or the establishment of a new company, and the sale of any real estate which, in the opinion of the board should be sold, shall be made by the common council only upon the recommendation of the board. Provided, that in case of sale of real estate not needed or used by the fire department as herein provided, the proceeds thereof shall be placed in the fire department fund, and be expended only for the purchase of any additional ground, building any new house or apparatus, or the establishment of a new company as herein provided.

Repeal.

SEC. 2. That section 2446 of the Revised Statutes of Ohio be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 545.]

AN ACT

To amend section 6968 of the Revised Statutes of Ohio, as amended April 20, 1881, as amended April 11, 1883, (O. L., v. 80, p. 109), as amended April 1, 1884, (O. L., v. 81, p. 94).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section sixty-nine hundred and sixty-eight of the Revised Statutes of Ohio, as amended April 20, 1881, as amended April 11, 1883, as amended April 1, 1884, be so amended as to read as follows:

Section 6968. Whoever, in any body of water, whether natural or artificial, lying in the state of Ohio, or part therein, except in private fishing waters, Lake Erie, Mercer county reservoir, and the Licking county reservoir, catch in any way other than by hook and line, any fish, except minnows, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever draws, sets, places, or locates any pound net, seine, gill net, trap, or any fish net or other device for catching fish, except for minnows, or catches, except with hook and line, any fish except minnows, aforesaid, in any of the inland waters of the State of Ohio, or part therein, or the waters of Lake Erie, west of Avon Point, from the first day of June to the first day of October of each year, or in the waters of Lake Erie, east of Avon Point from the tenth day of June to the tenth day of October, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever shall, at any time of the year, upon the shoals and reefs in Lake Erie, in the vicinity of the islands thereof, and in the bays tributary thereto, by means of any device whatever, except with hook and line, and whoever in the Mercer county reservoir, with the device known as trammel or pocket net, fish for or catch any fish, shall be guilty of a misdemeanor, and, on conviction, punished as provided hereafter. Whoever buys, sells, or offers for sale, any fish caught out of season, or in any manner prohibited by this act, shall be guilty of a misdemeanor, and, on conviction, punished as hereinafter provided. Whoever, at any time of the year, in any waters of the state of Ohio, kills any fish by the use of dynamite or any other explosive substance, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided; provided, that nothing in this section or the several statements of offenses herein contained, shall prevent the fish commissioners of this state, or their agents, from taking fish at any time or place for stocking ponds, lakes and rivers, and for the maintenance and cultivating fish artificially, and for no other purpose; and provided, further, it is hereby made the duty of said fish commissioners, on complaint of any person or otherwise, to prosecute all violations of this section; and any person may make complaint of any violation of this section before any mayor or justice of the peace having jurisdiction of the same. And whoever shall violate any of the several provisions herein contained, shall for each and every such offense, be fined not more than one hundred dollars and not less than ten dollars, or imprisoned not more than sixty days, or both, at the discretion of the court; that nothing in this

Regulating
the catching,
etc., of fish.

Forbidding
the catching
or killing of
fish, except
in certain
ways at cer-
tain times.

Seines, etc.

Buying or
selling fish
unlawfully
caught; use
of dynamite;
fish commis-
sioners;
penalties;
exception.

Repeal.

section shall prevent the catching of suckers and mullets in any manner between the twentieth day of March and the twentieth day of April in each year.

SEC. 2. That said section 6968 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 537.]

AN ACT

Supplementary to section one of an act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 24, 1884, (O. L. vol. 81), and took effect May 1, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to section one of an act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government, and release of such convicts by the board of managers," passed March 24, 1884, and designated as section 1a.

Compensation of the members of the board of managers of the penitentiary.

Section 1a. That each member of the board of managers shall receive as compensation for his services, as such manager, the sum of ten dollars per day, not to exceed, however, one hundred days in each year, for the time actually employed, which shall include all expenses; and there is hereby appropriated out of any moneys to the credit of the general revenue fund not otherwise appropriated, the sum of five thousand dollars, for the payment of said salaries for the current year.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 520.]

AN ACT

To reappropriate certain moneys heretofore appropriated for rebuilding the asylum for feeble-minded youth.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and there is hereby reappropriated from any money in the treasury to the credit of the general revenue fund, the sum of five thousand seven hundred and forty-three dollars and three cents (\$5,743.03), being balance undrawn of the sums appropriated by the acts of April 13, 1882, (O. L. 79, v. 85), and April 17, 1883, (O. L. v. 80, 152), for rebuilding the asylum known as the asylum for feeble-minded youth; and the sum of three hundred and thirty-four dollars and one cent (\$334.01) for fire escapes, being balance undrawn of the sums appropriated by acts of April 13, 1882, (O. L. 79, v. 85), and April 17, 1883, (O. L. v. 80, 152), for fire escapes for said asylum for feeble-minded youth, said appropriations having lapsed; which sums shall be used only for the purposes for which the original appropriations were made.

Reappropriating money to rebuild imbecile asylum.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[Senate Bill No. 462.]

AN ACT

To amend section 695 of the Revised Statutes of Ohio, as amended April 20, 1881, and April 17, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 695 of the Revised Statutes, as amended April 20, 1881, and April 17, 1882, be amended so as to read as follows:

Section 695. The superintendent shall receive as compensation for his said services, the sum of twelve hundred dollars a year; the clerk, five hundred dollars a year; the matron, four hundred dollars a year; the physician, five hundred dollars a year; the matrons of cottages, thirty dollars per month; superintendent of instruction, seven hundred dollars a year; school teachers, thirty dollars per month; seamstresses, fourteen dollars per month; tailoresses, twenty dollars per month. Said salaries shall be paid by the superintendent in monthly installments, and receipts taken, and the several amounts carried into the monthly accounts of the superintendent. [76 v. 171, § 22.]

Salaries of officers and employes O. S. and S. O. Home.

Repeal.

SEC. 2. Said original section 695, as amended April 20, 1881, and April 17, 1882, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 452.]

AN ACT

To amend section 897 of the Revised Statutes of Ohio, as amended April 15, 1882, (79 O. L., page 35).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 897 of the Revised Statutes be so amended as to read as follows:

Compensa-
tion of
county
commission-
ers.

Section 897. Each county commissioner shall be allowed three dollars for each day that he is employed in his official duties, and five cents per mile for his necessary travel for each regular or called session, not exceeding one session each month, or twelve in any one year, and five cents per mile when traveling within their respective counties on official business, to be paid out of the county treasury on the warrant of the county auditor, except in counties in which, by the last federal census, the population amounted to one hundred thousand or upwards, in which counties each commissioner shall be allowed four dollars per day for his services, not to exceed six days in each week, and in counties in which, by the last federal census, the population amounted to two hundred and fifty thousand or upwards, and in counties in which, by the last federal census, the population amounted to 67,377, and no more, in which counties such commissioners shall be entitled to receive a salary at the rate of (\$2,000) two thousand dollars per annum, and necessary traveling expenses when traveling outside of the county on official business; each commissioner in all other counties, except those having, by the last federal census, a population of two hundred and fifty thousand or upwards, for his services when necessarily engaged in attending to the business of the county, pertaining to his office, under the direction of the board other than in attending regular or called sessions of the board, and when necessary to travel on official business out of his county, shall be allowed, in addition thereto, his reasonable and necessary expenses actually paid in the discharge of his official duty, and each commissioner shall present an itemized statement of his account for per diem, mileage, services, and expenses as aforesaid, which, before it is allowed by a full board, shall be certified to by

the prosecuting attorney of the county and approved by the probate judge thereof.

SEC. 2. Said original section 897, as amended April 15, 1882, is hereby repealed; and this act shall take effect on its passage. Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[Senate Bill No. 504.]

AN ACT

To authorize the payment of costs in the contested election case of Bloom against Loomis.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be paid Hon. Harrison Mickey the sum of \$427.29, and to Hon. Timothy G. Loomis the sum of \$425.00 out of any funds in the treasury not otherwise appropriated, for the purpose of defraying the costs of aforesaid parties in the contested election case of S. S. Bloom against said Timothy G. Loomis. Payment of costs in contested election case of Bloom vs. Loomis.

SEC. 2. This act shall take effect on and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 772.]

AN ACT

Supplementary to section 6849 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to section 6849 of the Revised Statutes:

Section 6849a. Whoever, with intent to defraud, sells, secretes, destroys, converts to his own use, or otherwise disposes of any chattels, goods, merchandise, or personal property of any description whatsoever, the possession of which has been given to him in trust, pledge, bailment or on deposit, or under an agreement to purchase the same on installment payments or otherwise; and also any person so holding such property, who, with intent to defraud,

Penalty for conversion of property by bailee or conditional vendee; for removing such property from country.

removes the same beyond the county wherein it was stipulated such property should be kept, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not more than \$500, or imprisoned not more than three months, or both.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1137.]

AN ACT

To amend section 3694 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3694 of the Revised Statutes be amended so as to read as follows:

State board of agriculture: real estate acquired by; auditing of expenses; annual report; legal adviser.

Section 3694. The board may hold in fee simple such real estate as it may have heretofore purchased, or may hereafter purchase, as sites whereon to hold its annual fairs, and all such lands held by the board for said purpose shall be exempt from taxation, but when any such real estate as may have heretofore been purchased or may hereafter be purchased, shall cease to be used by the board as sites whereon to hold such annual fairs, then such real estate, with the improvements thereon, belonging to the board, shall revert to the state of Ohio, and no portion of any such real estate shall be disposed of except by act of the legislature. The board shall have the power to audit and pay its ordinary expenses, including the necessary personal expenses of the members in their attendance on the meetings of the board, out of any funds in its possession or out of the state agricultural fund, and shall, in its annual report, make a complete showing of its financial transactions; and the attorney-general shall act as the legal adviser of the board, the same as for other state departments.

Repeal.

SEC. 2. Said original section 3694 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1134.]

AN ACT

To amend section 2 of an act passed April 9, 1883, entitled "an act to provide for the protection of children," (O. L., v. 80, p. 102), as amended March 27, 1884, (O. L., v. 81, p. 92), as amended February 26, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two of the aforesaid act be amended to read as follows:

Section 2. That from and after the passage of this act, it shall not be lawful to keep or maintain in any county infirmary in this state, unless separated from the adult paupers therein, any child or children entitled to admission into a children's home, except such as are imbecile, idiotic, or insane; and the board of commissioners of any county in the state, where such home has not already been provided, may make temporary provisions for such children, by transferring them to the nearest children's home where they can be received and kept at the expense of the county, or by leasing suitable premises for that purpose, which shall be furnished, provided, and managed in all respects as now provided by law for the support and management of children's homes in the state of Ohio; provided, or the commissioners may provide for the care and support of such children within their respective counties, in the manner deemed best for the interest of the children, and in such county when the levy allowed by law for the poor fund is not sufficient to maintain the children as hereinbefore provided, the commissioners may levy an additional tax, which shall be used for that purpose only; provided further, that in counties where the children are kept in infirmaries as a children's home, the infirmary directors and superintendent shall perform the same duties and have the same powers now conferred upon trustees and superintendents of children's homes by sections 931, 932 and 933 of the Revised Statutes, as amended March 29, 1885, March 27, 1884, and February 26, 1885.

Separate maintenance of children in county infirmaries; children's homes.

SEC. 2. That said section two of the above recited act, as amended March 27, 1884, and February 26, 1885, be and the same is hereby repealed; and this act shall take effect from and after its passage.

Repeal.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1018.]

AN ACT

To provide for the payment to Francis Johnston of a certain Morgan raid claim, being No. 8, of class 3, allowed and classified by the "Morgan raid commission," appointed by acts of March 30, 1864, and April 27, 1872, of the general assembly of the State of Ohio.

Appropriation to pay assignee of Morgan raid claim of Leroy West.

WHEREAS, The commission appointed under act of March 30, 1864, to classify and audit claims for losses sustained by citizens of the state of Ohio, by reason of property taken and destroyed during the Morgan raid, allowed to one Leroy West, of Muskingum county, the sum of \$78.00, for property taken by the Union forces, for payment of which class of claims the general assembly, by the act of May 5, 1873, appropriated the sum of \$48,098.05; and

WHEREAS, By reason of the assignment and transfer of said claim to Francis Johnston prior to said provision for its payment, the same was never presented or paid, and the money so appropriated has been returned to the treasury; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of seventy-eight dollars, and the auditor of state required to draw his warrant upon the treasurer in favor of Francis Johnston for said sum, in full payment of said claim.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1118].

AN ACT

Authorizing any city of the second grade of the first class, to construct a conduit or drain, and procure necessary machinery to be used in connection therewith and all necessary land, and issue the bonds of the city to provide means to pay the cost and expense thereof.

Cleveland authorized to construct a conduit or drain; to provide proper machinery, etc.; and to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of any city of the second grade of the first class, is hereby authorized and empowered to construct or cause to be constructed within the limits of any such city, a conduit or drain for the purpose of removing impure or polluted water from any river or water course, and affording an outlet for sewers or other water courses in such city, or any portion thereof; and for such purposes to acquire by contract, or at the option of the common council of such city, to appropriate, enter upon, and hold, such real estate as may be desired or needed for such use;

such appropriation to be made in the manner provided for by law for the appropriation of private property by municipal corporations for public uses; also to procure such machinery and apparatus and construct such buildings as may be deemed necessary and proper, to be used in connection with said conduit for the purposes sought to be accomplished thereby.

SEC. 2. When it shall be deemed expedient by the common council of any such city to construct or cause to be constructed such conduit or drain, or any part thereof herein authorized in section one (1) of this act, it shall, by resolution, declare the necessity thereof, which resolution shall briefly describe the location and character of the proposed structure or improvement, and the estimated cost of the same, which resolution shall be published as provided for sewers in section twenty-three hundred and four (2304) of the Revised Statutes of Ohio; and owners of land or property of any kind claiming damages by reason of said improvement shall file a claim therefor, in writing, with the clerk of the corporation as required by section twenty-three hundred and fifteen (2315) of the Revised Statutes; and said claims for damages shall be determined and said work shall be done in accordance with the provisions of title twelve (12) of the Revised Statutes of Ohio, as amended, relating to municipal corporations, in so far as the same may be applicable.

SEC. 3. For the purpose of providing the means for paying the cost and expense of constructing said conduit or drain, procuring the necessary machinery, apparatus and buildings, purchasing or appropriating the necessary land, paying of any damages done to private property by doing any work herein authorized, and paying all other expenses connected with said improvement, the common council of such municipal corporation shall have power to issue the bonds of the corporation for any amount not exceeding in the aggregate the amount of five hundred thousand dollars (\$500,000.00), which bonds may be for any length of time, not exceeding twenty (20) years, at such rate of interest as the common council may deem proper, not to exceed the rate of six (6) per centum per annum, payable semi-annually. Said bonds may be issued at such time or times and in such amount or amounts as the progress of the work and the convenience of the corporation may require; said bonds shall have written or printed upon them the date of the law under which they are issued, and the general character of the improvement, to pay or provide means for paying the cost and expense of which they are issued; said bonds shall not be sold or negotiated for less than par, and the proceeds of said bonds shall be applied to the payment of the cost and expense of said improvement, as hereinbefore provided, and to no other purpose whatever.

SEC. 4. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1036.]

AN ACT

To provide for the publication in book form of existing ordinances of cities and villages.

Revised
book of or-
dinances;
publication
when dis-
pensed with.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever in any city or village of this state existing ordinances shall be revised, amended, re-arranged, consolidated, indexed, and published in book form, said publication in book form shall be taken and held to be in lieu of publishing the same in a newspaper, as required by law, and shall be a sufficient publication of such ordinances to all intents and purposes, and the ordinance or several ordinances so published shall be held the same in law as though they had been published in a newspaper as now required by law. Provided, that the new ordinances and changes made in existing ordinances by such revisions, shall be prepared by the clerk, approved by the council, and published as now provided by law for the publication of new ordinances.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1022.]

AN ACT

To regulate the levying of taxes for county, road and bridge purposes, and to create a sinking fund in certain counties.

Tax levies in
Hamilton
county for
county, road
and bridge,
and sinking
fund pur-
poses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the commissioners of the counties of the state, having a population at the last federal census of more than three hundred thousand inhabitants, to annually, at their June session, levy on each dollar of the valuation of taxable property within their county, for county purposes, other than for roads, bridges, county buildings, sites therefor, and the purchase of land for infirmity purposes, one mill; and whenever in any such county the above levy is deemed insufficient for general county purposes, the commissioners may increase said levy by any amount not exceeding one mill on the dollar valuation.

SEC. 2. It shall be the duty of the commissioners of such counties aforesaid, annually, at their March session, to make a levy, not to exceed six tenths of a mill on each dollar of valuation, on all the taxable property in such counties, for road and bridge purposes.

SEC. 3. It shall be the duty of the commissioners of such counties aforesaid, annually, at their June session, to make a levy,

not exceeding one-tenth of a mill on each dollar of valuation, on all taxable property in such counties, to create a sinking fund for the payment, at maturity, of bonds issued by said counties in pursuance of law.

SEC. 4. That so much of sections 2823 and 2824 of the Revised Statutes of Ohio as conflicts with this act, is hereby superseded, and declared to be wholly inoperative in the counties described in this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 586.]

AN ACT

To amend section 2292 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two thousand two hundred and ninety-two of the Revised Statutes of Ohio be amended so as to read as follows:

Section 2292. For the purpose of lighting the corporation, the council may, by ordinance, levy and assess a tax in proportion to the feet front on the lots and lands bounding and abutting on the streets and avenues lighted. But in cities of the second grade of the second class council shall, by ordinance, levy and assess a tax [of] not more than one mill and two tenths of one mill on all the property assessed upon the general duplicate of such city, for such purpose, and in addition thereto, a tax according to the valuation as assessed upon the tax duplicate, on the lots and lands bounding and abutting on the streets and avenues lighted with gas not more than seven-tenths of one mill, and on streets and avenues lighted with electric lights not more than one mill and two-tenths of one mill, and for the erection and completion of the lamp-posts on said streets and avenues, the council shall levy and assess a tax in proportion to the feet front on the lots and lands bounding or abutting in any manner on the streets and avenues so improved, and lots lying lengthwise of said improvement; the council shall fix, in like manner, the front of such land, to the usual depth of lots, so that it will be a fair average of the depth of lots in the neighborhood, which shall be subject to such assessment; and all the provisions of this chapter concerning special assessments, and

Tax levies
for lighting
municipal
corporations.

the collection thereof, which in their nature are applicable, shall apply to assessments for this purpose.

Repeal.

SEC. 2. That said original section 2292 is hereby repealed ; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 190.]

AN ACT

To prevent gambling in grain, stocks, petroleum, wool, and provisions.

Gambling
in stocks,
grain, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to sections sixty-nine hundred and thirty-four and sixty-nine hundred and thirty-four (a) of the Revised Statutes of the State of Ohio :

Certain
contracts
declared
illegal.

Section 6934b. That all contracts and agreements, no matter by what name designated, by which any person shall contract or offer to sell, or to buy, or to offer to buy, flour, corn, wheat, or grain of any kind, or meat, fresh or salt, dry or green, smoked or not, the ownership of the same not being in the same, and has not the property on hand to deliver upon such sale, or when the purchaser of the same so contracting to buy or offering to buy the same has not the means to pay, or does not intend actually to deliver or to receive and pay for the same, are hereby declared illegal contracts and agreements, against public policy, and null and void.

Dealings in
"margins"
or "futures"
declared
gambling
and crim-
inal acts;
penalty.

Section 6934c. All such contracts, agreements, and offers to sell or buy, as well as all transactions in stocks, petroleum, the grains and provisions aforesaid, by "margins" or "futures," are hereby declared gambling and criminal acts, whether the person buying or selling, or offering to buy or sell, acts for himself, or as an agent or broker for any firm, company, or broker's office; and any person upon conviction thereof, in any court of criminal jurisdiction, shall be fined for each offense not less than one hundred dollars, nor more than one thousand dollars, or imprisoned in the county jail of the county where the offense was committed, for a period of not less than thirty nor more than ninety days, or both; and each person so convicted, shall also pay all costs of prosecution, and judgment shall at the time of conviction be pronounced by the court or judge before whom the case is tried. And it shall be the duty of the judges of the several courts of common pleas in this state, at every regular term thereof, to give this act specially in charge to the grand jury.

Duty of
certain
judges.

Section 6934d. It shall not be necessary, in order to commit said crime, that both buyer and seller shall exist or agree, but the same crime shall be complete against any person selling or offering to sell individually, whether his offer to sell is accepted or not; and any person who shall communicate, receive, exhibit or display, in any manner, any such offer to so buy or sell, or any statements or quotations of the prices of any such margins, futures or options, shall, for each such offense, be deemed and held to be an accessory thereto, and upon conviction thereof shall be fined and imprisoned the same as the principal; and any such company, corporation or person permitting any such communication, reception, exhibit, or display, shall, for each such permission, forfeit to the common school fund the sum of five hundred dollars, to be collected in a civil action instituted by the prosecuting attorney of the county wherein such offense occurs or is permitted to occur, and said crime shall be complete against any person individually, whether his offer is accepted or not, purchasing or offering to purchase; and any person so offending may be prosecuted and convicted individually; provided, nothing in this act shall apply to legally incorporated produce exchanges, chambers of commerce or boards of trade, or to members of said exchanges, chambers of commerce or boards of trade, or the agents or employees, when transactions are done in accordance with the established rules of said exchanges, chambers of commerce and boards of trade, and executed thereon, or to the persons so dealing with or through them, or to persons who shall only communicate, receive or display quotations on said produce exchanges, chambers of commerce or boards of trade, of the prices at which said commodities mentioned in section 6934b are sold, and shall not apply to or interfere with legitimate business transactions in the regular course of trade; and whoever knowingly permits any of the gambling acts aforesaid, in his building, house, or any out-house, booth, arbor, or erection of which he has the care or possession, shall be fined not less than five hundred dollars, nor more than one thousand dollars, and the same be a lien upon the premises.

When crime deemed complete; accessories; offers to sell or buy; display of quotations; penalties.

Proviso as to chambers of commerce, exchanges, etc.

Permitting acts aforesaid on one's premises.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1028.]

AN ACT

To amend section 1178 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1178 of the Revised Statutes of the state of Ohio be amended to read as follows:

Section 1178. The county surveyor shall make and keep in a

Record to be kept by county surveyor; fees.

book to be provided for that purpose, an accurate record of all surveys made by himself or his deputies, for the purpose of locating any land, or road lines, or fixing any corner or monument, by which the same may be determined, whether official or otherwise, and also any other surveys made in the county by competent surveyors, duly certified by such surveyors to be correct, and deemed worthy of preservation by the county commissioners, to whom the same shall be submitted for approval before being recorded, which surveys shall include corners, distances, azimuths, angles, calculations, plats and a description of the monuments set up, with such references thereto as will aid in finding the same, together with the names of the parties for whom made, the date of making the same, which book shall be kept as a public record by the county surveyor at his office, and shall be at all proper times open to inspection and examination by all persons interested therein, and shall receive the same fees as are now allowed county recorders for like work.

Repeal.

SEC. 2. That original section 1178 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1049.]

AN ACT

To amend section 1369, section 1373, section 1404, section 1406, section 1409, section 1410 and section 1411 of the Revised Statutes of Ohio.

Original surveyed townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections thirteen hundred and sixty-eight, thirteen hundred and seventy-three, fourteen hundred and four, fourteen hundred and six, fourteen hundred and nine, fourteen hundred and ten and fourteen hundred and eleven of the Revised Statutes be and the same are hereby amended so as to read as follows:

Conduct of election of trustees; their powers

Section 1368. Said election shall be conducted in the same manner as township elections in civil townships, and shall be held on the same day that township elections in civil townships are held; and the trustees of such township shall be a body corporate, with power to contract and be contracted with, sue and be sued, and to take charge of such section, or sections, or parts of section, and manage the same according to the best interests thereof.

Appointment of clerk; fees.

Section 1373. The trustees shall appoint a clerk, who may or may not be one of their number; and such trustees and clerk shall receive for their services like fees as are provided by law to be paid to the trustees and clerk of civil townships for similar services; provided, however, that if the clerk be one of the trustees, he shall not receive compensation for acting in both capacities.

Section 1404. When either the ministerial or school section belonging to an original township or fractional township requires division, the trustees shall employ a surveyor to assist them; and lay out such section or sections into lots of not less than eighty acres, nor more than one quarter of a section; and the trustees shall lease out said section, (except such as is provided for by any special act), after giving at least thirty days' notice, by advertisement, set up in four of the most public places in the township, mentioning the time and place where proposals will be received, and when they will meet to execute the lease; always giving a preference to those who, in their opinion, make the most advantageous proposals; and the trustees may require the lessees of such lands, at the date of the leasing thereof, to execute their notes for the payment of the rents, with security to the approval of the trustees.

Duties of trustees as to laying out and leasing lands.

Section 1406. Any unimproved lots may be leased for any term, not exceeding seven years, for making such improvements on the same as the trustees think advisable; and such unimproved lots may be leased for any term not exceeding fourteen years, but a cash rent shall be reserved in such lease at least after the first seven years; and improved lots may be leased for any term not exceeding ten years; and all rents shall be payable on the first Monday of December, annually. But the trustees may provide for improvements on the school lands, in the lease or leases by which the same are rented, or they may make such improvements directly; provided, that in all cases where such improvements are made directly by the trustees, when in their judgment the same are necessary, and the estimated or probable cost thereof exceeds one hundred dollars, the trustees shall advertise for bids for the period of at least twenty days, by posting up notices in four of the most public places in the township, and the contract for making such improvement shall be awarded to, and made with the person or persons who offer to make such improvement at the lowest price; provided, that a good and sufficient bond shall be executed and delivered to said trustees, as such trustees, conditioned for the honest and faithful performance of such improvement.

Length of term for lease of improved and unimproved lands; improvements how provided for.

Section 1409. All rents arising from any school or ministerial lands, shall be paid by the lessee or lessees, to the treasurer, as they become due; and on failure of the payment, or for non-compliance with the conditions of the lease, the treasurer shall, when so directed by the trustees, bring a suit in the name of the trustees, before any court having competent jurisdiction; and, on final process, if the goods and chattels cannot be found whereby collection can be made, or if mesne process cannot be served, upon the return of the same, the trustees are thereupon authorized to re-enter upon the lands of the delinquent or delinquents, and to sell at public vendue his or their right and title in said lease or leases, to satisfy such rent, damages and costs; in which case the trustees shall give twenty days' previous notice of the time and place when said lease or leases will be sold, by advertising the same in three public places, or by advertisement inserted in some newspaper published within the county, subjecting the purchaser or purchasers to the conditions contained in the lease or

Collection of rents.

leases of the delinquent or delinquents; and in case the said lease or leases sell for more than the rent, damages, and costs, the surplus shall be paid over to the delinquent or delinquents; but where secured notes are taken for payment of such rents, the trustees may order the treasurer to bring suit in their name on such notes, on failure of the payment of such rents, when due, according to the terms thereof.

Duties of
treasurer;
his fees.

Section 1410. The treasurer shall keep a book with full and accurate entries of all moneys received, and of all disbursements, and carefully file and preserve the vouchers relating thereto, which book and papers shall at all times be subject to the inspection of the trustees; and no moneys shall be paid out by the treasurer except upon the written order of the trustees; and the treasurer shall be allowed and may retain, for receiving, safe-keeping, and paying out moneys belonging to the township treasury, one per centum thereof as his fees.

Annual divi-
sion of rents
of school
lands.

Section 1411. The trustees, when there is money in the hands of the treasurer, arising from the rents of school lands, after the payment of all just claims and necessary expenses, shall, at least once a year, meet at the office or residence of the treasurer, and make a dividend thereof among the several school districts, or parts of districts, within the original township in proportion to the number of youth of school age in the several districts or parts of districts; and upon their order making such dividend, the treasurer shall pay out said money.

Repeal.

SEC. 2. Said original sections thirteen hundred and sixty-eight, thirteen hundred and seventy-three, fourteen hundred and four, fourteen hundred and six, fourteen hundred and nine, fourteen hundred and ten, and fourteen hundred and eleven be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 434.]

AN ACT

Reimburs-
ing em-
ployes of
imbecile
asylum for
loss of
wearing
apparel,
etc., at fire
in Novem-
ber, 1881.

To reimburse the teachers and employes of the imbecile asylum for the loss of their wearing apparel and personal effects at the fire at said asylum, in the month of November, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money, which shall be paid to the following named persons, who were

teachers and employes at said asylum, and who sustained losses at the said fire, as follows:

| | |
|---------------------------|-------|
| To E. E. Frahnstock..... | \$442 |
| To Christopher Ross..... | 159 |
| To Elza Holm..... | 248 |
| To I. B. Ross..... | 515 |
| To Augusta Tremherst..... | 250 |
| To Grace Dunbar..... | 316 |
| To Thersia Berger..... | 94 |
| To Ellen Welch..... | 166 |
| To Jennette Schaab..... | 58 |
| To Leucetta Henning..... | 274 |
| To Maria King..... | 120 |
| To Maggie E. Riley..... | 150 |
| To May M. Keller..... | 256 |
| To Maggie Roaks..... | 151 |
| To Margaret Lesline..... | 74 |
| To Catherine Lesline..... | 150 |
| To Susan E. Anderson..... | 200 |
| To Bessie Mitchmore..... | 327 |
| To Mrs. S. Mitchmore..... | 321 |
| To Minerva Hinkley..... | 140 |
| To Sarah J. Morris..... | 205 |
| To Henrietta Purple..... | 750 |
| To Sarah C. Thompson..... | 240 |
| To Rosa Crist..... | 200 |
| To Anna S. Brown..... | 375 |
| To Anna McGrew..... | 350 |
| To J. Turmehly..... | 300 |
| To M. A. Tolles..... | 235 |
| To M. L. Clark..... | 250 |
| To S. C. Linsley..... | 400 |
| To M. E. Bradshaw..... | 200 |
| To Oira L. Mitchell..... | 350 |
| To E. A. Ayers..... | 400 |
| To S. K. Bicks..... | 211 |
| To J. C. Clark..... | 300 |
| To M. S. Hughes..... | 400 |
| To S. C. Hasted..... | 300 |
| To Mary S. Myres..... | 300 |
| To Mary Barger..... | 170 |
| To Amelia Ailhous..... | 130 |
| To M. J. Urick..... | 130 |
| To Margaret Lehman..... | 27 |
| To Eilen Reilly..... | 90 |
| To Kate Pitts..... | 110 |
| To Margaret Metzger..... | 160 |
| To Kate Watren..... | 37 |
| To Mary A. Walsh..... | 130 |
| To Kate Carney..... | 170 |
| To Clara H. Quick..... | 140 |
| To Julia W. Ricks..... | 300 |
| To Sarah B. Warren..... | 240 |
| To P. K. Seal..... | 375 |
| To M. A. Chipman..... | 180 |
| To Alice Culbertson..... | 250 |
| To Martha J. Wright..... | 450 |
| To E. L. Clark..... | 375 |

SEC. 2. Said several sums of money shall be paid to the persons above named, respectively, upon the warrant of the auditor of state.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate. *

Passed May 4, 1885.

[House Bill No. 1054.]

AN ACT

To amend section 2271 of the Revised Statutes of Ohio, as amended March 27, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-two hundred and seventy-one of the Revised Statutes of Ohio, as amended March 27, 1884, be amended so as to read as follows:

Limitation
on assess-
ments in cer-
tain muni-
cipalities.

Section 2271. In cities of the first class, and in corporations in counties containing a city of the first grade of the first class, the tax or assessment specially levied or assessed upon any lot or land for any improvement, shall not, except as provided in section twenty-two hundred and seventy-two, exceed twenty-five per centum of the value of such lot or land after the improvement is made, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; and except as provided in section twenty-two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one tenth of such value of the property on which the assessment is made; and in cities of the third grade, first class, said tax or assessment shall not exceed twenty five per centum of the value of such lot or land, after the improvement is made, and whenever any street or avenue is opened, extended, straightened, or widened, the assessment for the cost and expense thereof shall be assessed only on the lots and lands bounding and abutting on said street or avenue so improved; provided, that nothing in this section contained shall apply to any improvement ordered, commenced, or completed, prior to the passage of this act.

Repeal.

SEC. 2. That said original section 2271, as amended March 27, 1884, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 913.]

AN ACT

To authorize certain cities to contract with water companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all cities of the fourth grade of the second class in which water-works are now erected, constructed and existing, whether such water-works are owned by an incorporated company, or by an individual or individuals, shall have power to contract with such company, owner or owners of such water-works, for supply of water for fire purposes, streets, squares, and other public places within the corporate limits, and for supplying the citizens of such municipal corporation with water, or any, or either of them, for any term not exceeding twenty years.

Authorizing
certain
cities to con-
tract for
water sup-
ply.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 959.]

AN ACT

To amend sections 6498 and 6499 of the Revised Statutes of Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 648 and 6499 of the Revised Statutes of Ohio are so amended as to read as follows:

Section 6498. When the plaintiff, his agent or attorney, makes oath in writing that he has good reason to believe, and does believe, that any person, partnership or corporation in the affidavit named, has property of the defendant in his possession, describing the same, if the officer can not get possession of such property, he shall leave with such garnishee a copy of the order of attachment, with a written notice that he appear before the justice, at the return of the order of attachment, and answer as provided in section 6500.

Proceedings
in garnish-
ment before
justices of
the peace.

Section 6499. If the garnishee is a person, the copy of the order and notice shall be served upon him personally, or left at his usual place of residence; if a partnership is garnisheed by its company name, they shall be left at its usual place of doing business, or be served personally on a member of said partnership; and if a corporation, they shall be left with the president or other principal officer, or the secretary, cashier, or managing agent

How gar-
nishee
served.

thereof; and if such corporation is a railroad company, they may be left with any regular ticket or freight agent thereof in the county.

Repeal.

SEC. 2. That sections 6498 and 6499 of the Revised Statutes are hereby repealed.

SEC. 3. This act shall take effect on its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 912.]

AN ACT

To authorize cities of the fourth grade of the second class to contract for lighting purposes.

**Authorizing
certain cities
to contract
for electric
light.**

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all cities of the fourth grade of the second class, in which any electric light works are now or may hereafter be constructed for lighting purposes, whether such works are owned by an incorporated company or by an individual or individuals, shall have power to contract with such company, individual or individuals for supplying the streets, squares and other public places within the corporate limits and for supplying the citizens of such municipal corporation with light, or all, any, or either of them for any term not exceeding ten years; and such municipal corporation shall have the same power to protect any such electric light works and prevent injury to any property of such company, person, or persons, as though such works or property were owned by such municipal corporation.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1174.]

AN ACT

Making appropriations to pay certain deficiencies in House contingent expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury, to the credit of the general revenue fund, and not otherwise appropriated, the sum of four hundred dollars (\$400), to be paid out of the House contingent fund for expenses.

Legislative
deficiency
appropriation.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1113.]

AN ACT

To appropriate money to purchase land upon which to erect a monument to the memory of the soldiers of Ohio, who died upon the battle field of Gettysburg.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the treasury, to the credit of the general revenue fund, and not otherwise appropriated, the sum of five thousand dollars (\$5,000), to be paid out upon the requisition of the adjutant-general, who shall expend the same subject to the direction of the "Gettysburg Battlefield Memorial Association," to purchase a portion of the land upon which the battle of Gettysburg was fought, and to erect a monument thereon to designate the spot where Ohio soldiers died.

Appropriation for soldiers' monument upon battlefield of Gettysburg.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 505.]

AN ACT

To prohibit the sale of intoxicating liquors within five hundred yards of a school-house in process of construction in Wilmington, Clinton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whoever sells intoxicating liquors at or within five hundred yards of a school-house in process of construction in Wilmington, Clinton county, Ohio, shall be fined not more

Penalty for selling intoxicating liquors at certain place.

than one hundred dollars, nor less than twenty-five dollars, or imprisoned not more than twenty days, or both; and on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold, shall, by order of the court, be shut up and abated as a nuisance.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1096.]

AN ACT

To prevent the sale of intoxicating liquor within one-half mile of Miami cemetery, in Warren county, Ohio.

Penalty for
selling in-
toxicating
liquors at
certain
place.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be and is hereby made unlawful to sell, give away or furnish any intoxicating liquor of any kind or description whatsoever within one-half mile of the grounds and premises of Miami cemetery, in Wayne township, Warren county, Ohio; whoever sells, gives away or furnishes any intoxicating liquor, in violation of this act, shall, upon conviction, be fined in any sum not exceeding one hundred dollars, nor less than twenty dollars, or imprisoned not more than sixty days, or both, at the discretion of the court.

SEC. 2. This act shall take effect and be in force from and after the first day of May, 1885.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

LOCAL AND SPECIAL ACTS.

[Senate Bill No. 224].

AN ACT

To authorize the trustees of Weathersfield township, Trumbull county, Ohio, to levy a tax and build a vault in Union cemetery, at Niles, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Weathersfield township, Trumbull county, Ohio, are hereby authorized and empowered to levy a tax on all taxable property of said township, not to exceed, in the aggregate, fifteen hundred dollars, for the purpose of building and erecting a vault on the Union cemetery grounds in said township, near Niles, Ohio.*

SEC. 2. The tax levied by said trustees, under the authority of this act, shall be returned to the auditor of said county and placed on the duplicate of said township, and collected as other taxes, and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purpose aforesaid, on the order of said trustees. •

SEC. 3. This act shall be in force and take affect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 20, 1885.

[Senate Bill No. 263].

AN ACT

To authorize the trustees of Circleville township, Pickaway county, to transfer funds, and complete a road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Circleville township, Pickaway county, Ohio, be and they are hereby authorized to permanently transfer the sum of twenty-five hundred (\$2,500) dollars, now in the treasury of said township, belonging to the general fund to the road fund of said township.*

SEC. 2. The trustees of said township are hereby authorized to expend from said amount so transferred, an amount sufficient to grade, gravel and complete the improvement of the public road, known as the "Island Road," in said township, from the corporation line of the city of Circleville, in a northerly direction, to the red bridge across the Scioto river, a distance of about one mile and a half; said road when completed to be a free turnpike road; the said road to be graded, graveled and completed in pursuance of a

contract, heretofore entered into by the trustees of said township, under and by virtue of an act of the General Assembly of Ohio entitled "an act to authorize the trustees of Circleville township, Pickaway county, Ohio, to construct a turnpike road," passed February 5, 1884.

SEC. 3. That an act entitled "an act to authorize the trustees of Circleville township, Pickaway county, Ohio, to construct a turnpike road," passed February 5, 1884, be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 21, 1885.

[House Bill No. 578].

AN ACT

For the relief of Christopher Deitmer, treasurer of Ridgeville township, Henry county, Ohio.

WHEREAS, Christopher Deitmer, as the treasurer of Ridgeville township, in the county of Henry, being a township not provided with "a good fire and burglar-proof safe," did, under the provisions of section 1513 of the Revised Statutes of Ohio, deposit the township, school and other funds belonging to said township for the year 1883, in the bank of Sheffield & Norton, at Napoleon, in the said county of Henry, to the aggregate amount of \$1,125.35; and,

WHEREAS, The said bank did, on the 16th day of October, 1883, make an assignment, and has paid upon its deposits but the sum of twenty-five per centum thereof; and,

WHEREAS, A large amount of the assets of said bank are in litigation and will be attended with much delay in the collection thereof, and a large amount of the said assets consists of real estate, and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Ridgeville township, Henry county, Ohio, are hereby authorized to settle, compromise with, and release Christopher Deitmer and his official securities in their official bond as treasurer of said township, from the payment of \$844.01 belonging to the township and school funds of said township, upon the assignment, transfer, and delivery by the said Christopher Deitmer to said trustees of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton. Provided, that the said trustees shall submit said proposition to so release to the qualified electors of said township at the first general spring election hereafter to be held in the said township, and two-thirds of said electors voting upon the said proposition shall declare in favor of said release.

SEC. 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots, and the form of the ballot shall be as follows: "For release—Yes;" "For release—No;" and the said trustees shall make due return of the result of said election to the auditor of said Henry county, who shall file the same in his office.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 16, 1885.

[House Bill No. 605.]

AN ACT

For the relief of Harmon Gerkin, treasurer of Freedom township, Henry county, Ohio.

WHEREAS, Harmon Gerkin, as the treasurer of Freedom township, in Henry county, being a township not provided with a "good fire and burglar proof safe," did, under the provisions of section 1513 of the Revised Statutes of Ohio, deposit the township, school and other funds belonging to said township, for the year 1883, in the bank of Sheffield & Norton, at Napoleon, in the said county, to the aggregate amount of \$1,300; and

WHEREAS, The said bank did, on the 16th day of October, 1883, make an assignment, and has paid upon its deposits but the sum of twenty-five per centum thereof; and

WHEREAS, A large amount of the assets of said bank are in litigation, and will be attended with much delay in the collection thereof, and a large amount of the said assets consists of real estate, and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Freedom township, Henry county, Ohio, are hereby authorized to settle, compromise with, and release Harmon Gerkin and his official securities, in their official bond as treasurer of said township, from the payment of \$975, belonging to the township and school funds of said township, upon the assignment, transfer and delivery by the said Harmon Gerkin, to said trustees, of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton. Provided, that the said trustees shall submit said proposition to so release to the qualified electors of said township, at the first general spring election hereafter to be held in said township, and two-thirds of said electors voting upon the said proposition shall declare in favor of said release.*

SEC. 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots, and the form of the ballot shall be as follows: "For release—Yes"; "For release—No"; and the said trustees shall make due return of the result of said election to the auditor of said Henry county, who shall file the same in his office.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 16, 1885.

[House Bill No. 637.]

AN ACT

To amend section 1 of an act entitled "an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river at the village of Dublin," passed February 5, 1884, (Ohio laws, volume 81, page 219).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section 1 of said recited act be so amended as to read as follows:*

That the commissioners of Franklin county are hereby authorized and required to proceed immediately to build a new bridge over the Scioto river at Dublin,

in said county, at a cost not to exceed \$40,000, and to meet the expenses thereof, the said county commissioners shall issue the bonds of said Franklin county in such sums as may be necessary to build said bridge, to be levied in three equal annual payments, which bonds shall bear interest at a rate not exceeding six per cent. per annum, and in the event that the same are not received by the contractors at par, in payment for this contract, shall be sold at not less than their par value, and the proceeds arising from such sale shall be applied to the purpose herein stipulated.

SEC. 2. That section 1 of said act so recited be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 20, 1885.

[Senate Bill No. 330.]

AN ACT

To authorize the commissioners of Butler county to build a court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Butler county be and they are hereby authorized to build a court house in said county, on the site on which the present court house stands, at a cost not exceeding two hundred thousand dollars.

SEC. 2. To carry out the provisions of this act, said commissioners are hereby authorized, by taxation, at a rate not exceeding one mill per annum on the dollar of the valuation of the property of said county subject to taxation, to raise the amount of money necessary for that purpose, not exceeding the sum above named. And in the anticipation of the collection of such taxes, said commissioners shall have power to issue the bonds of said county, with interest coupons attached thereto, interest payable semi-annually in sums of not less than five hundred dollars, principal and interest payable at the office of the treasurer of said county; said bonds to be due and payable at such times as said commissioners may, in their discretion, deem for the best interest of said county; provided, that none of said bonds shall be due and payable at a longer period than twenty years from their date, and provided, that no greater amount shall be payable any one year than can be met by the levying of the rate of taxation herein named; and provided further, that the aggregate amount of bonds so issued shall not exceed said sum of two hundred thousand dollars; said bonds to bear a rate of interest not exceeding six per centum per annum, and to be sold for not less than their par value.

SEC. 3. The said bonds shall be issued and signed by said commissioners, and countersigned by the county auditor, who shall keep and preserve a record of the bonds so issued, and said bonds shall be numbered consecutively, and be made negotiable.

SEC. 4. Said commissioners shall annually hereafter, at their June session, levy such an amount of taxes, not exceeding the rate above stated, upon the tax duplicate of the county as shall be necessary to pay the accruing interest upon said bonds, and such part of the principal thereof, as falls due each year, until said indebtedness is fully discharged. Said commissioners are hereby authorized and empowered to purchase any of said bonds at an earlier period

than their maturity, provided a surplus fund may be on hand applicable to that purpose.

SEC. 5. Upon the passage of this act, there shall be appointed by the judge of the court of common pleas of said county, three competent freeholders thereof, to be known as the "building committee," who shall hold their office for two years, or until said court house is completed, unless the court shall find that they may be sooner removed. They are hereby authorized to act and vote with said commissioners in making plans, estimates and specifications for said court house, and to act and vote with said commissioners and the clerk of the court, probate judge, and sheriff of said county in approving the said plans, and to act and vote with said commissioners in awarding the contracts for labor and materials used in building said court house, and for furnishing the same when completed, and in determining all questions in connection therewith, until said court house is completed and finished according to contracts, and accepted by a majority of said commissioners and said committee; and the judge of said court is authorized to fill any vacancy arising in said committee from any cause, should he deem the same necessary and advisable.

SEC. 6. The members of said committee, before entering upon the discharge of their said duties, shall be sworn to honestly and faithfully discharge the same to the best interests of the county. They shall each be paid for said services, out of the county treasury, upon the warrant of the auditor, the sum of three dollars for each day actually employed in the discharge thereof.

SEC. 7. Said commissioners and said building committee may, in their discretion, advertise for proposals for the entire work, at a single job, to the lowest responsible bidder, and receive and accept bids therefor.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[House Bill No. 685.]

AN ACT

To authorize the commissioners of Wyandot county to transfer the township and volunteer bounty fund to the Wyandot county agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Wyandot county be and they are hereby authorized to transfer to the Wyandot county agricultural society, the township bounty fund, amounting to five hundred and forty-one dollars and ninety-five cents (\$541.95), and the volunteer bounty fund, amounting to two hundred and eight dollars and sixty-nine cents (\$208.69), now on hand in the treasury of said county, to be used by said agricultural society for the payment of its debts.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[House Bill No. 623.]

AN ACT

To authorize Robert Porterfield, a justice of the peace in Waldo township, Marion county, Ohio, to sign official documents and papers with a stamp.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That Robert Porterfield, a justice of the peace for and within Waldo township, Marion county, Ohio, be and hereby is authorized to sign his name with a stamp to all papers, records, and documents required to be signed by justices of the peace.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 27, 1885.

[House Bill No. 616.]

AN ACT

To divide the township of Madison, in Guernsey county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That Madison township, in the county of Guernsey, be and the same is hereby divided into two election precincts by a line drawn through said township, from north to south, beginning on the north line of said township at the intersection of the half section line of section three, and thence southwardly with the continuation of said line through sections 3, 8, 13, 18 and 23, to the south line of said township. All that portion of said township east of said line to be designated as Antrim precinct, and all west of said line as Winchester precinct.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[House Bill No. 514.]

AN ACT

To divide the township of Franklin, Summit county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township of Franklin, in the county of Summit, state of Ohio, be and the same is hereby divided into two election precincts. The dividing line of said township for said election purposes, to commence at a point on the northerly boundary line of said township, at a point three miles distant, on said northern boundary line, from the west line thereof, and running south therefrom to the southerly line of said township, parallel to the westerly line thereof, and three miles distant therefrom. The voting precinct of the easterly half of said*

township to be at the village of Manchester, and the voting precinct of the westerly half at the village of Clinton.

SEC. 2. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[Senate Bill No. 315.]

AN ACT

To authorize the commissioners of Gallia county to complete a children's home in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Gallia county be and they hereby are authorized to complete the children's home in said county now in process of erection, at a cost not exceeding four thousand dollars more than contemplated when the question of building said home was submitted to the voters of said county; the sum of twelve thousand dollars, which was submitted and carried, having been found insufficient to purchase the ground and erect a suitable building for said home.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[Senate Bill No. 302.]

AN ACT

To amend section 4 of "an act to authorize the commissioners of Pickaway county, Ohio, to build a bridge across Big Darby creek, in Darby and Scioto townships of said county, and to levy a tax for that purpose," passed February 21, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section four of the above recited act be so amended as to read as follows:*

Section 4. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax for eight years, upon all the taxable property of said Pickaway county, not to exceed one-tenth of a mill each year, upon each dollar valuation thereof.

SEC. 2. That said original section 4 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 29, 1885.

[Senate Bill No. 278].

AN ACT

To authorize the board of education of the village of New Lisbon, Columbiana county, Ohio, to issue bonds to pay existing debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the village of New Lisbon, in Columbiana county, Ohio, be and the said board is hereby authorized and empowered to issue bonds for an amount not exceeding two thousand dollars (\$2,000), payable at such time, not exceeding three years, as said board may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi annually, and shall be issued in such amounts as the board shall determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the present indebtedness of the said school district.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[Senate Bill No. 289].

AN ACT

To provide for the issue and payment of bonds by the commissioners of Mercer county, to meet a deficiency in the levy of the bridge fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Mercer county, to meet and provide for a deficiency in the bridge fund, for said county, be and they are hereby authorized to issue the bonds of said county for any amount not exceeding twenty-five thousand dollars (\$25,000), in such sums and payable at such times, not exceeding ten years from the date of the same, as to said commissioners may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually; and said bonds shall not be sold for less than their par value.

SEC. 2. That for the payment of the interest on, and for the redemption of said bonds, the commissioners of said county are hereby authorized to levy taxes upon all the taxable property of said county, at such a rate not exceeding one mill, in addition to levies for road and bridge purposes now authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay the same, as they become due and payable. Said bonds shall be signed by the county commissioners, or any two of them, and countersigned by the county auditor.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[Senate Bill No. 291.]

AN ACT

To reimburse John Burger, treasurer of Goshen township, Clermont county, Ohio.

WHEREAS, John Burger held the office of treasurer of Goshen township, Clermont county, state of Ohio; and.

WHEREAS, The store-room of said John Burger was entered by burglars, and his safe blown open on the 17th day of April, 1884, and township school funds, to the amount of four hundred and seventeen dollars and ninety-one cents, belonging to said Goshen township, and in said John Burger's care as treasurer of said township, were stolen; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of said Goshen township are hereby authorized and required to submit at the regular April election of 1885, after ten days' notice thereof given by notices posted in at least six conspicuous places, in said township, to the qualified electors thereof, the question of reimbursing said John Burger; and on an affirmative vote of two-thirds of those voting at said election on said question, the township trustees of said Goshen township shall, at their next regular meeting thereafter, levy a tax on all the taxable property of said Goshen township, in addition to the taxes now authorized to be levied by law, to reimburse said John Burger for the amount of four hundred and seventeen dollars and ninety-one cents, and interest from April 17, 1884, so paid by said John Burger.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 28, 1885.

[House Bill No. 536.]

AN ACT

To authorize the council of the incorporated village of Hayesville, Ashland county, Ohio, to transfer certain funds from the general corporation fund to the town hall fund, and to use the same in paying for the building of a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Hayesville, Ashland county, Ohio, be, and they are hereby authorized and empowered to transfer the sum of one thousand dollars from the general corporation fund of said village, to a fund to be called and known as "the town hall fund."

SEC. 2. The council of the incorporated village of Hayesville, Ashland county, Ohio, are hereby authorized and empowered to use the said sum of one thousand dollars, (so to be transferred as authorized by section one hereof), or any part thereof in paying for, or toward the building, completing, heating and furnishing of a town hall within the said incorporated village of Hayesville, Ashland county, Ohio, the same to be paid out for said purpose upon the warrant of the said council, or a majority thereof, when countersigned by the mayor of said village, and in such sums, at such times, and to such persons as said warrants shall designate.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 31, 1885.

[House Bill No. 561.]

AN ACT

To authorize the village council of the incorporated village of Van Wert, Van Wert county, Ohio, to issue bonds to build a town hall, engine house, and village prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village council of the incorporated village of Van Wert, Van Wert county, Ohio, be and the same is hereby authorized to issue the bonds of said village in the sum, not exceeding fifteen (15) thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually for the purpose of providing said village with a town hall to contain certain offices for the mayor and clerk of said village, and engine house and village prison.*

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof; the principal shall be paid at such time as the council of said village may determine by ordinance within a period not exceeding twenty-five years, and said village council to pay said bonds and interest by a tax levied on all taxable property of said village.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of paying for the erection and construction of a town hall within said village to contain certain offices for the mayor and clerk of said village, and engine house, and village prison, which town hall, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying of said tax, and of erecting and constructing said town hall, engine house and village prison for said village of Van Wert, shall be submitted to a vote of the qualified electors of said village at the regular spring or at a special election, to wit: At the place of holding elections of said village, by giving fifteen day's notice in one or more newspapers of said village; the tickets to be voted at said election shall have written or printed thereon the words, "Town Hall, Engine House and Village Prison—Yes," or "Town Hall, Engine House and Village Prison—No," and a majority vote at said election shall decide said question.

SEC. 5. Said election shall be held by the council of said village in the same manner as other elections.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 31, 1885.

[House Bill No. 629.]

AN ACT

To authorize the commissioners of Sandusky county, Ohio, to secure the transcribing of certain records therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Sandusky county, Ohio, be authorized to procure the transcribing of the records of deeds, A, B, C and D, of Sandusky county, Ohio, for which they are authorized to pay twelve cents for each and every one hundred words therein contained.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 3, 1885.

[House Bill No. 649.]

AN ACT

To regulate the free turnpikes of Pike county, Ohio, and pay certain indebtedness incurred in the construction thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Pike county, Ohio, be and are hereby authorized to issue bonds of said county, to the amount and value of four thousand and five hundred (4,500) dollars, for the purpose of paying certain indebtedness incurred in and arising from the construction of the "Waverly and Buchanan" and "Latham, Byington and Sinking Springs" free turnpikes; said bonds to be issued in denominations of one hundred (100) dollars each, payable at the option of said commissioners, any time within five years from the date of their issuance, to be on interest at the rate of six (6) per cent. per annum, payable semi-annually, and not to be disposed of for less than par value.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 3, 1885.

[Substitute for House Bill No. 658.]

AN ACT

To further provide for building a new court house in Franklin county.

WHEREAS, The electors of Franklin county authorized the erection of a new court house, and a new jail, and the purchase of a site for said new jail; and

WHEREAS, The county commissioners of said county caused the plans, drawings, representations, bills of material and specifications of work, and estimates of the cost thereof in detail, and in the aggregate, to be prepared for said court

house proper, (not including the boiler house, boilers, and fixtures outside of said court house building), which were approved, and filed with the auditor of said county according to law; and

WHEREAS, The said commissioners also purchased as a site for the new jail, inlots 301, the north half of 362 and inlot 381 in the city of Columbus, separated from the old court house and jail lots by Court street and alley; and

WHEREAS, It is extremely important to the interest of the people of said county that said court house should be speedily and honestly built; therefore.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Franklin county are hereby authorized and empowered to cause to be vacated, and to appropriate for the use of said new court house and jail, that part of Court street which lies between inlots 360 and 361 of the city of Columbus, in any proceeding now commenced or hereafter begun, under and in accordance with the statutes of this state, in such case made and provided.

SEC. 2. That said commissioners are further hereby authorized and empowered to proceed as rapidly as possible, according to law, to erect said new court house in pursuance of said plans, specifications, etc., on the old court house and jail site, and on so much of Court street, so to be appropriated, and inlot 361 and the north half of inlot 362, as may be necessary therefor, and also to erect a boiler house for said court house and new jail on any part of the real estate above mentioned, at an expense therefor, including boilers, fixtures and connections with said buildings, not exceeding \$25,000.

SEC. 3. That said plans, drawings, representations, bills of materials, and specifications of work and estimates of the cost thereof, which have been approved and filed with the auditor of Franklin county, shall not be materially altered, deviated from or added to, unless every such alteration, deviation or addition proposed shall be first drawn, specified and estimated, as is required by law for the original plans, etc., and submitted to the same officers and person provided for in section 797 of the Revised Statutes, and approved by them, or a majority of them. Provided, that such alterations and deviations and additions shall not, in the aggregate, exclusive of said boiler house and fixtures, increase the cost of said new court house, as let under the present estimates, more than ten thousand dollars. And provided, further, that when any such alteration, deviation, or addition is so approved, the said county commissioners shall request the same to be performed by the respective contractors for the work, under whose contract such alteration, deviation or addition falls, and the price therefor shall be first agreed upon as in the specifications provided for, but in no case to exceed the estimate therefor approved, as hereinabove provided.

SEC. 4. Whoever, knowingly, violates the provisions of section 3, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not less than one hundred, nor more than five hundred dollars.

SEC. 5. That the court of common pleas of said Franklin county, or any judge thereof in vacation, upon good cause shown, shall, upon the petition, in the name of the state of Ohio, filed by the prosecuting attorney of Franklin county, or on his neglect or refusal so to do, upon the request of five (5) or more taxpayers, therein filed by said taxpayers, enjoin the said county commissioners or other officers, or the architect, or superintendent of said new court house, or any contractor for any willful and substantial deviation from said plans, drawings, bills of material or specifications of work, now or hereafter approved as aforesaid for said court house, to the injury of the said county of Franklin; but no injunction shall be allowed for any technical irregularity or defect, whether in the proceedings of the county commissioners, board, or architect, in the

plans, drawings, specifications, or bills of material, or any immaterial deviations therefrom by any contractor by the order or permission of the superintendent of the work, which do not increase the cost or diminish the value of the work or material.

SEC. 6. That the entire cost of said new court house building, and boiler house, boilers and fixtures, shall not, in the aggregate, exceed the sum of five hundred thousand dollars, for which the said county commissioners were authorized and empowered to issue the bonds of said county by the act of March 15, 1884.

SEC. 7. That the new jail shall not be proceeded with, nor any plans made therefor, unless some unavoidable accident requires the same, until the new court house is built.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 31, 1885.

[House Bill No. 675.]

AN ACT

To authorize the board of education of village school district No. 5, of Harrison, Hamilton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of village school district No. 5, of Harrison, Hamilton county, Ohio, be and is hereby authorized to transfer the sum of one thousand dollars from the contingent fund to the tuition fund of said district.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 682.]

AN ACT

To authorize and empower the commissioners of Vinton county, Ohio, to refund and pay back to Jas. Malone certain overassessments on in-lot number fifty-three (53) in the village of McArthur, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Vinton county, Ohio, be and they are hereby authorized to refund and pay back to James Malone the amount of the tax overassessed on in-lot number fifty-three (53) in the village of McArthur, Ohio.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 701.]

AN ACT

To authorize the city council of the city of Galion to borrow money, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the city council of the city of Galion, Crawford county, be and the same is hereby authorized to borrow the sum of eight thousand dollars, for the purpose of extending the time of the payment of the indebtedness of the said city of Galion, and for that purpose said city council is hereby authorized, in behalf of said city of Galion, to issue bonds of such denomination as said city council may deem advisable, payable in five years from the date thereof, with such rate of interest, not exceeding six per centum per annum, as the city council may determine.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 709.]

AN ACT

To provide for the relief of certain employes and creditors of the board of work-house directors of the city of Xenia, and to authorize the commissioners of Greene county and the council of the city of Xenia to issue and sell bonds and to levy an additional tax to pay same, and for other purposes.

WHEREAS, The commissioners of Greene county, in the year 1882, united with the city of Xenia, in said county, in the erection, management and maintenance of a work-house in said city for the joint use of said county and city; and,

WHEREAS, On the first day of November, 1883, the money in the treasury of the city of Xenia, to the credit of the "work-house" fund thereof, was exhausted, and from said date until the first day of August, 1884, there was no money in said treasury to the credit of said fund not already appropriated for other purposes; and not being advised of the illegality of such action, the board of work-house directors of said city continued during said period from November 1, 1883, until August 1, 1884, to incur obligations involving the expenditure of money for the purpose of maintaining and operating said work-house, and to avoid discharging the convicts therein confined and thereto sentenced; and,

WHEREAS, The obligations so incurred by said board during said period aggregate about three thousand three hundred and twenty dollars and fifty cents; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* said action of said board of work-house directors, and said obligations so incurred, be and the same are hereby validated.

SEC. 2. For the purpose of raising money wherewith to discharge said obligations, the commissioners of Greene county are hereby authorized, empowered, and required to issue and sell at public or private sale the bonds of said county, not exceeding in amount seventeen hundred and fifty dollars and not less than sixteen hundred and sixty-one dollars and twenty-five cents; and the city council of said city of Xenia are hereby authorized, empowered and required to issue the bonds of said city, (and to sell the same at public or private sale), not exceeding in amount seventeen hundred and fifty dollars and not less than sixteen hundred and sixty-one dollars and twenty-five cents.

SEC. 3. Said bonds shall be of such denominations as the respective boards issuing the same shall deem proper, shall run any length of time not exceeding five years, shall bear interest not exceeding six per cent. per annum, payable semi-annually, and shall be sold at not less than par.

SEC. 4. When any bonds are sold under the provisions of this act by said commissioners or said council, the money arising therefrom shall be paid into the treasury of the city of Xenia to the credit of the "work-house" fund thereof, and shall be expended for the purpose of satisfying the obligations incurred by said board of work-house directors during the period from November 1, 1883, to August 1, 1884, upon the order of said board and the warrant of the clerk of said city of Xenia.

SEC. 5. Said commissioners are hereby authorized to levy a tax, if necessary, on all the taxable property of said county, for the purpose of paying the bonds and interest issued under the provisions of this act; and said city council is authorized to levy a tax upon all the taxable property in said city, for the purpose of paying the bonds and interest issued under the provisions of this act; but the amount levied by said commissioners or said council, shall be apportioned in each year to the number of years said bonds are to run. Provided, that such levies shall be so made as that the property in said city under both levies shall not be taxed to raise a greater sum than will pay the half of said bonds, to-wit, \$1,750 and interest.

SEC. 6. The county commissioners shall defray the expense of said work-house out of the county treasury, incurred on account of committals thereto, of persons charged with offenses under the statutes of Ohio, and the incorporated towns in said county shall defray the expense incurred on account of committals thereto, of persons for violations of the ordinances of such towns respectively, and the general expense of such work-house shall be apportioned among and paid by the county and such towns according to such committals therefrom, respectively; such payments shall be made quarterly on the first (1st) Monday of March, June, September, and December, upon the certificate of the work-house directors, which shall be verified under oath by the president of the board of directors.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed January 30, 1885.

[House Bill No. 699.]

AN ACT

To authorize the commissioners of Highland county to issue bonds to pay existing indebtedness of said county, and to provide for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Highland county, for the purpose of providing for existing indebtedness of said county, be and they are hereby authorized to issue the bonds of said county for an amount not to exceed eighty thousand dollars (\$80,000), payable at such times as they, in their discretion, may think best for the interests of said county, bearing a rate of interest not to exceed six per cent., payable semi-annually.

SEC. 2. That for the purpose of providing for the payment of said bonds, the said commissioners are hereby authorized and required to levy, annually, an amount sufficient to pay the interest thereon, and shall be authorized and required to levy an amount sufficient to pay the principal of said bonds as they mature. These levies shall be in addition to all other levies authorized by law for other purposes. Said bonds shall be sold according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 4, 1885.

[House Bill No. 740.]

AN ACT

To authorize the city council of the city of Lancaster, in Fairfield county, Ohio, to issue bonds for certain purposes therein named, and also to transfer certain funds therein set forth.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Lancaster, in Fairfield county, be and the same is hereby authorized to issue bonds of said city in a sum not exceeding two thousand dollars, in denominations of not less than one hundred dollars, bearing interest at a rate not exceeding six per centum from the date of issue, payable annually, for the purpose of paying the police of said city, or to make good any fund of said city overdrawn in paying said police. The said bonds shall be payable at any time to be determined by said city council, and the said city council of the city of Lancaster is hereby authorized to levy a tax upon all the taxable property of said city to pay said bonds and interest as they become due.

SEC. 2. That the city council of the city of Lancaster, in Fairfield county, is hereby authorized to transfer from the improvement fund of said city eight (8) hundred dollars to the fire department fund of said city, and to the police fund of said city the sum of ten (10) hundred dollars from said improvement fund.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 3, 1885.

[Senate Bill No. 293.]

AN ACT

To authorize the board of education of the village of Wilmington, Clinton county, to issue bonds for the purpose of completing a school house now in process of construction.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the village of Wilmington, Clinton county, are hereby authorized to issue bonds, to the amount of not exceeding four thousand dollars, for the purpose of completing and furnishing school building now in process of construction. Said bonds shall be issued at such times and in such sums as said board of education think proper, and shall be made payable at any time within five years; and shall bear interest not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value. The proceeds of said bonds to be paid into the village treasury, and used as needed for the purposes herein named. The clerk of the board shall keep a record of the number, date, amount, and rate of interest of each bond sold, the sum for which, and the name of the person to whom sold, and the time when payable, which record shall be open for the inspection of the public at all reasonable times.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 4, 1885.

[Senate Bill No. 317.]

AN ACT

To authorize the council of the village of Wilmington, Clinton county, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village of Wilmington, Clinton county, is hereby authorized to issue the bonds of said village, in any sum not exceeding five thousand dollars, in such denominations as may be deemed best, at a rate of interest not exceeding six per cent., payable semi-annually, and for a length of time not exceeding five years, to be sold for not less than their par value; and the proceeds to be used to pay the compensation and damages resulting from the extension and opening of Walnut, Mulberry and Truesdell streets, in said village, for which said village is now liable; and, after paying said compensation and damages, if a surplus remain from the sale of said bonds, the same to be used in the construction and repair of the streets generally in said village, or to pay for fire cisterns constructed in said village, or both, as the council of said village shall determine.*

SEC. 2. The said village council is also hereby authorized to cause a levy to be made to pay said bonds, and any interest accruing, upon all the taxable property of said village, and to cause the same to be collected.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 11, 1885.

[Senate Bill No. 326.]

AN ACT

To authorize the board of education of the union school district of Marion, Marion county, Ohio, to issue bonds for the purpose of paying a deficiency in said union school district, and for the completion of a school building therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the union school district of Marion, Marion county, Ohio, be and is hereby authorized and empowered to issue the bonds of said district for an amount not exceeding ten thousand dollars, to enable said board of education to meet and provide for a deficiency now existing, caused by the erection and furnishing of a school building, and for the purpose of fully completing and furnishing the same.

SEC. 2. Said bonds shall be issued by said board and signed by the president thereof and countersigned by the clerk of the board, and shall bear interest at a rate not exceeding seven per cent. per annum, payable semi-annually. The bonds shall be issued in such denominations as the board may, by resolution, determine, and payable in such installments, annually, as the board may deem best; but all the bonds shall be made payable within five years after the date of the issue thereof, and shall be sold for not less than their par value.

SEC. 3. The clerk of said board of education shall keep a complete record of said bonds, showing the amount of each bond issued, the date thereof, and when due, number of bond and the rate of interest, and when the bonds are paid they shall be canceled, and the fact of such cancellation noted on the record.

SEC. 4. Said board of education shall cause the necessary taxes to be levied, annually, to pay the principal of said bonds as they shall become due, together with the interest thereon, in the manner provided by law for levying taxes for school and school-house purposes.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 11, 1885.

[Senate Bill No. 336.]

AN ACT

To authorize the council of the incorporated village of Waverly, Pike county, Ohio, to transfer certain funds to the interest and sinking fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Waverly, Pike county, Ohio, be and it is hereby authorized to transfer to the interest and sinking fund of said village the following funds, to-wit:

Three thousand dollars (\$3,000) out of the corporation prison fund, thirteen hundred and thirty-seven dollars and seventy-one cents (\$1,337.71) out of the public hall fund, one hundred and eighty-eight dollars and fifty cents (\$188.50) out of the fund for opening and improving streets, seventy-two dollars and fifty cents (\$72.50) out of the fund for opening and improving Lock, High and

Market streets, and two dollars and three cents (\$2.03) out of the improvement and appropriation fund, and that the same shall be applied by said council to the payment of the interest now due on, and to the redemption of the outstanding bonds of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 11, 1885.

[House Bill No. 723.]

AN ACT

To authorize the erection of a town hall in the western precinct of Columbia township, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township trustees of Columbia township, Hamilton county, Ohio, shall, at the spring election of 1885, by giving fifteen days' notice thereof, submit to the qualified voters of the western precinct of said township, the question of taxation to the amount of eight thousand dollars, for purchasing a site and erecting a town hall thereon, at Pleasant Ridge, in said precinct; and those voting in favor of said tax shall write or print upon their ballots, "Town Hall—Yes;" and those opposed thereto, shall write or print upon their ballots, "Town Hall—No;" and if a majority of the votes cast at said election shall be in favor of said tax, the trustees of said township shall issue the bonds of said township to the amount of eight thousand dollars, due and payable in such allotments during ten years that their payment may be met by receipts of taxes; these bonds to bear seven per cent. interest, payable semi-annually, and to be issued as needed. Said bonds shall be signed by the said township trustees, and attested by the township clerk, who shall keep a record of the same; and shall be in denominations of not less than one hundred dollars, and be sold at not less than par value.

SEC. 2. If the vote is carried for said taxation, the township trustees shall annually, beginning in 1885, and for as many years as may be required to pay the interest and principal of said bonds, levy a tax upon the taxable property of said precinct of two mills on the dollar valuation, in addition to the tax now authorized by law, and shall appropriate the money derived therefrom solely to the redemption of said bonds, and to the repairs and improvement of said town hall.

SEC. 3. The county commissioners of Hamilton county, Ohio, shall, if said vote for taxation be carried, appoint three precinct trustees, under the provisions of an act passed April 24, 1878, (75 v. O. L., p. 119), who shall have the qualifications and perform the duties such statute requires. They shall have power to select a site for said town hall, on some principal street in the village of Pleasant Ridge, and on their recommendation the township trustees shall purchase the same, taking a warranty deed to themselves as township trustees, in trust, for the western precinct of said township, and if said site cannot be purchased on reasonable terms, they shall proceed to condemn the same according to law.

SEC. 4. The precinct trustees shall prepare plans and specifications for a building for said town hall of not less than two stories. They shall adopt plans, accept bids and make contracts for the erection and furnishing of said building, after advertising for bids according to law; and said township trustees shall not pay any bills for such contracts unless approved in writing by the precinct trustees.

SEC. 5. The said precinct trustees shall have full control of said town hall and grounds, according to the provisions of an act passed April 24, 1878, (75 v. O. L., p. 119); and shall furnish the first story thereof with heating apparatus, lights, and suitable furniture and conveniences for public meetings and entertainments; they shall keep said building insured when finished, and shall have power to rent the first story by the day or night for proper uses, when not needed for elections or other official purposes, and to lease the second or other stories, for a term of years, at a reasonable rent; but all moneys received for rent of any part of said building, shall be used exclusively in maintaining, repairing and improving said town hall and grounds; and no compensation whatever shall be allowed to said precinct trustees.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 580.]

AN ACT

To authorize the trustees of the Washington C. H., Ohio, cemetery to donate a lot of ground in said cemetery to Capt. John Bell Post, No. 119, G. A. R., of said town of Washington C. H., for the purpose of burying indigent deceased union soldiers and sailors of the late rebellion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the Washington C. H., Ohio, cemetery are hereby authorized and empowered to donate a suitable lot of ground in said cemetery to Capt. John Bell Post, No. 119, G. A. R., and located in the said town of Washington C. H., Ohio, to be used by said post exclusively for the burial of such indigent deceased soldiers and sailors of the late rebellion as said post may deem proper.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 721.]

AN ACT

To reimburse Joseph Clare, treasurer of Tate township, Clermont county, state of Ohio.

WHEREAS, Joseph Clare, treasurer of Tate township, Clermont county, state of Ohio; and,

WHEREAS, The store room of said Joseph Clare was entered by burglars and his safe blown open on the night of the 29th day of September, 1884, and township and school funds, to the amount of nine hundred dollars, belonging to said Tate township, and in said Joseph Clare's care, as treasurer of said township, were stolen; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of said Tate township, are hereby authorized and required to submit, at their regular April election of 1885, after ten days' notice thereof, given by notices posted in at least six conspicuous places in said township, to the qualified electors thereof, the question of reimbursing said Joseph Clare, and on an affirmative vote of two-thirds of those voting at said election on said question, the township trustees of said Tate township shall, at their next regular meeting thereafter, levy a tax on all the taxable property of said Tate township, in addition to the taxes now authorized to be levied by law, to reimburse said Joseph Clare for the amount of nine hundred dollars, so paid by said Joseph Clare.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 708.]

AN ACT

For the relief of David J. Humphrey, treasurer of Napoleon township, Henry county, Ohio.

WHEREAS, David J. Humphrey, as the treasurer of Napoleon township, Henry county, being a township not provided with a "good fire and burglar-proof safe," under the provisions of section 1513 of the Revised Statutes of Ohio, deposited the township, school, and other funds belonging to said township, for the year 1883, in the Bank of Sheffield & Norton, at Napoleon, in the said county, to the aggregate amount of \$2,559.03; and

WHEREAS, The said bank did, on the 16th day of October, 1883, make an assignment, and has paid upon its deposits but the sum of twenty-five per centum thereof; and

WHEREAS, A large amount of the assets of said bank are in litigation, and will be attended with much delay in the collection thereof, and a large amount of the said assets consists of real estate, and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Napoleon township, Henry county, Ohio, are hereby authorized

to settle, compromise with, and release David J. Humphrey, and his official sureties, on their official bond, as treasurer of said township, from the payment of \$1,689.32, belonging to the township and school funds of said township, upon the assignment, transfer, and delivery by the said David J. Humphrey to said trustees, of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton; provided, that the said trustees shall submit said proposition, to so release, to the qualified electors of said township, at the first general spring election, hereafter to be held in said township, and two-thirds of said electors voting yes upon the said proposition shall declare in favor of said release.

SEC. 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots, and the form of the ballot shall be as follows: "For release—Yes;" "For release—No;" and the said trustees shall make due return of the result of said election to the auditor of said Henry county, who shall file the same in his office

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 11, 1885.

[House Bill No. 677.]

AN ACT

To authorize the trustees of Canfield township, Mahoning county, Ohio, to purchase and pay for furniture for a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of the township of Canfield, in Mahoning county, be and they are hereby authorized to appropriate not exceeding the sum of two hundred dollars, from moneys belonging to the town hall fund in excess after paying the first bonds, and the interest thereon, for the purpose of purchasing and paying for furniture for the said town hall.

SEC. 2. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 652.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at the West

Union and Jacksonville free turnpike, at a point near the line between Dunkensville and Robert Shriver's farm, and running east past Vaughn's chapel, John Graham's and Andrew Ellison, thence down the creek, crossing Little's run at the mouth of Ellison's lane, crossing John Campbell's land through Seaman's land as near the foot of the hill as possible, through Peter McKenzie's land to the mouth of his lane, thence to the stone chapel and Cedar Mills free turnpike road.

SEC. 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar annually, on all the taxable property of said county for the purpose of paying said bonds and interest thereon.

SEC. 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications and order said improvement or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[House Bill No. 645.]

AN ACT

To authorize the commissioners of Pike county, Ohio, to transfer certain funds to the county road fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Pike county be and are hereby authorized to transfer the surplus money arising from "The Piketon Bridge Indebtedness Fund," "The Waverly and Coopersville Turnpike and Carr's Run Bridge Fund," "The Idaho, Jasper, and Piketon Turnpike Fund," and "The Coopersville and Camp Creek Turnpike Fund" to "The County Road Fund"*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 6, 1885.

[Senate Bill No. 346.]

AN ACT

To authorize the auditor of Clinton county to refund certain moneys therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the auditor of Clinton county be and he is hereby authorized to refund, pro rata, the sum of eight hundred and ten dollars and ninety-seven cents (\$810.97), the balance of the "Pigeon ditch fund" remaining in the county treasury, to the persons who were assessed for the construction of said ditch.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 12, 1885

[Senate Bill No. 331.]

AN ACT

To authorize the trustees of Greenville township, Darke county, Ohio, to levy a tax and issue bonds to pay an existing indebtedness.

WHEREAS, The trustees of Greenville township, Darke county, Ohio, neglected to levy taxes to meet the current expenses of said township; and,

WHEREAS, The said trustees having no means at hand to meet the indebtedness of said township; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township trustees of Greenville township, Darke county, Ohio, be and they are hereby authorized to issue bonds, not exceeding in amount five thousand dollars, to raise money to pay existing indebtedness of said township. Said bonds to be signed by the board of trustees and clerk of said township, and to be in sums of one hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, the principal and interest of said bonds to be payable as said board of trustees may direct, not exceeding four years from time of issuing the same. Said bonds to be sold according to law.

SEC. 2. That for the purpose of paying said bonds and the interest thereon, as the same may become due, the said board of trustees is hereby authorized and empowered to levy a tax on all the taxable property within the limits of said township, commencing in the year eighteen hundred and eighty-five (1885), as will be sufficient to pay the principal and the interest of said bonds as they may become due in each year, as said board of trustees shall determine.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 12, 1885.

[House Bill No. 707.]

AN ACT

For the relief of John W. Fiser, treasurer of Harrison township, Henry county, Ohio.

WHEREAS, John W. Fiser, as treasurer of Harrison township, Henry county, being a township not provided with a "good fire and burglar-proof safe," did, under the provisions of section 1513 of the Revised Statutes of Ohio, deposit the township, school, and other funds, belonging to said township, for the year 1883, in the bank of Sheffield & Norton, at Napoleon, in the said county, to the aggregate amount of \$1,979.29; and,

WHEREAS, The said bank, did on the 16th day of October, 1883, make an assignment, and has paid upon its deposits but the sum of twenty-five per centum thereof; and

WHEREAS, A large amount of the assets of said bank are in litigation, and will be attended with much delay in collection thereof, and a large amount of the said assets consist of real estate and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Harrison township, Henry county, Ohio, are hereby authorized to settle, compromise with, and release John W. Fiser and his official sureties, on their official bond as treasurer of said township, from the payment of \$1,484.47, belonging to the township and school funds of said township, upon the assignment, transfer, and delivery by said John W. Fiser, to said trustees, of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton.

Provided, that the said trustees shall submit said proposition to so release, to the qualified electors of said township, at the first general spring election, hereafter, to be held in said township; and two-thirds of all electors voting yes on said proposition shall declare in favor said release.

SEC. 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots, and the form of the ballots shall be as follows: "For release—Yes;" "For release—No;" and the said trustees shall make due return of the result of said election to the auditor of Henry county, who shall file the same in his office.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 11, 1885.

[Senate Bill No. 350.]

AN ACT

To provide for the transfer of certain funds herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Concord, Muskingum county, Ohio, be and the same is hereby authorized to permanently transfer the sum of two hundred and fifty dollars from the fire fund to the street fund, and the sum

of seventy-five dollars from the prison fund to the light fund of said New Concord village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 18, 1885.

[Senate Bill No. 335.]

AN ACT

To authorize the village council of South Bloomfield, Pickaway county, Ohio to provide for a deficiency in the building fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the village of South Bloomfield, Pickaway county, Ohio, for the purpose of meeting and providing for a deficiency in the building fund of said village, be and it is hereby authorized and empowered to issue bonds of said village in sums of not less than one hundred dollars each, and, in the aggregate, not to exceed five hundred dollars, which bonds shall have proper interest coupons attached, and bear a rate of interest not exceeding seven per centum per annum, payable on the first days of April and October in each year. The payment of the principal of said bonds shall not be deferred beyond a period of five years, and said bonds shall not be sold for less than their par value.

SEC. 2. Said bonds shall be signed by the mayor of said village, and attested by the clerk of said village, under the seal thereof; said bonds shall be negotiable and payable at such place in Pickaway county, Ohio, which place shall be specified in each bond.

SEC. 3. That said village council is hereby authorized to levy a tax to pay the principal and interest on said bonds, not exceeding in any one year two and one-half mills on the dollar of the valuation of the taxable property in said village.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 18, 1885.

[Senate Bill No. 359.]

AN ACT

To authorize the commissioners of Pike county to purchase a turnpike and repair same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Pike county, Ohio, be and are hereby authorized to purchase so much of the "Waverly and Beaver Toll Road" as lies between a point where the same intersects the "Waverly and Beaver Free Turnpike," at a point on Gregg's Hill, and the terminus thereof in the village of Waverly, at the sum of two thousand (\$2,000) dollars, and thereupon the same shall become a free turnpike, and the said commissioners may proceed to improve and repair the same, together with the bridge and approaches thereto across the Scioto river on said road, and place said road and bridge in a condition fit for travel and the use of the public.

SEC. 2. That for the purpose of making said purchase and improving and repairing said road and bridge, as said commissioners may deem best, said commissioners are hereby authorized to issue bonds of said county, not to exceed the sum of eleven thousand (\$11,000) dollars, payable at such times as the commissioners may determine, not to exceed eight (8) years from the date of their issuance, and to be issued in denominations [of] not more than five hundred (\$500) dollars each, to bear interest at the rate of six (6) per cent. per annum, and to be disposed of according to law.

SEC. 3. This act to take effect and to be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed February 23, 1885.

[House Bill No. 676.]

AN ACT

To amend section 2 of an act entitled an "act to authorize the commissioners of Miami county to issue bonds and levy a tax for the purpose of building a court house," (O. L. 1884), passed April 10, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* section 2 of the above recited act be so amended as to read as follows:

Section 2. For the purpose of paying the amount named in the first section of this act said commissioners are authorized to issue the bonds of said county for said amount in such denominations, and payable at such times as said commissioners may determine. Said bonds to bear interest at the rate of six per centum per annum, to be paid semi-annually, and said bonds shall be sold according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 9, 1885.

[House Bill No. 679.]

AN ACT

To divide Mill township, Tuscarawas county, into five election districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township of Mill, Tuscarawas county, Ohio, be and the same is divided into five election precincts for state, county and township purposes, which shall be known as Uhrichsville Precinct No. 1, Uhrichsville Precinct No. 2, Uhrichsville Precinct No. 3, Dennison Precinct, and Newport Precinct, all of which are described as follows:*

Uhrichsville Precinct No. 1. Beginning at stone arch bridge across the Big Stillwater creek, owned by the P., C. & St. L. R'y, in the incorporated village of Uhrichsville, Tuscarawas county, Ohio; thence due east on line of said P., C. & St. L. R'y, to the stone arch bridge across Little Stillwater creek, owned by the P., C. & St. L. R'y; thence southeast on said Little Stillwater creek to road leading from incorporated village of Dennison, in Tuscarawas county, Ohio, to Deersville, Harrison county, Ohio; thence east and south along the west line of said incorporated village of Dennison, to the southwest corner of said incorporated village of Dennison, on the lands of Thomas Shipton, deceased; thence east, northeast and north along said line of the village of Dennison, to the northwest corner of the lands of Isaac Wagner, deceased; thence east on said northern line of said Wagner's land, to the northeast corner of said Wagner's land; thence south, on east line of said Wagner's land, to the southeast corner of said Wagner's land; thence due west on said Wagner's southern boundary line, to the northeast corner of E. H. Gowin's lands; thence southwest on said Gowin's west line, to the Uhrichsville and Deersville road; thence west on said road, to a new road laid out through the lands of N. Pittinger, Mrs. J. Uhrich and others; thence southwest on above line of road, to the Big Stillwater creek; thence west and north, following said Big Stillwater creek to stone arch bridge, being the place of beginning.

Uhrichsville Precinct No. 2. Beginning at stone arch bridge, across Big Stillwater creek, owned by the P., C. & St. L. R'y, and in the incorporated village of Uhrichsville, Ohio, thence north and west, following said Big Stillwater creek to the Tuscarawas river; thence northwest, along said Tuscarawas river, to the western boundary line of Mill township, Tuscarawas county, Ohio; thence due north, on said western boundary line, to the northern boundary line of Mill township; thence due east, on said northern boundary line, to the eastern boundary line of Mill township; thence south, on said east boundary line of Mill township, to the southern boundary line of the lands owned by Thomas J. Forbes; thence southwest, following said southern line of the lands of said Thomas J. Forbes, to the Big Stillwater creek; thence southeast, on said Big Stillwater creek, to the junction of Big Stillwater and Little Stillwater creeks; thence south, on said Little Stillwater creek, to stone arch bridge across Little Stillwater creek, owned by P., C. & St. L. R'y; thence west on P., C. & St. L. R'y, to place of beginning.

Uhrichsville Precinct No. 3. Beginning at the southwest corner of Mill township, thence north, on west boundary line of Mill township, to the Tuscarawas river, intersecting northwest line of Precinct No. 2; thence southeast, along said line and Tuscarawas river, to the mouth of Big Stillwater creek; thence following said Big Stillwater creek southeast to a point on the lands of Lewis Wilcoxin, due northeast, from the beginning of a road running through the lands of Lewis Wilcoxin, J. Wardell and others; thence from said point,

as above described, to the above mentioned road (southwest); thence following said road through the lands of said Lewis Willcox, J. Wardell and others, southwest, to the southern boundary line of Mill township; thence west, on said southern boundary line, to the place of beginning.

Dennison Precinct. Beginning at the stone arch bridge across Little Stillwater creek, owned by the P., C. & St. L. R'y; thence north, on said Little Stillwater creek, to the junction of said Little Stillwater and Big Stillwater creeks; thence northwest, on said Big Stillwater creek, to the southern line of the lands of Thomas J. Forbes; thence east and north, along said line, to the east line of lands of said Thomas J. Forbes; thence north and east, on said line, to the eastern boundary line of Mill township; thence south, east, south, east, south, along said eastern boundary line, and to southern line of the incorporated village of Dennison, Ohio; thence southwest, along said incorporation line, through the lands of Thomas Shipton, deceased, to the western line of said Thomas Shipton's lands; thence due north, along western line of incorporated village of Dennison, to the Little Stillwater creek; thence northwest, along said creek, to stone arch bridge, being the place of beginning.

Newport Precinct. Beginning at a road in the southwest corner of Mill township, on the southern boundary line of said township, this being the road that is the southeast boundary line of Uhrichsville Precinct No. 3; thence northeast, on said road, through the lands of Lewis Willcox, J. Wardell and others, to the road running from Uhrichsville to Newport; thence to a point due northeast, in the Big Stillwater creek, as described in boundary of Uhrichsville Precinct No. 3; thence southeast, on Big Stillwater creek, to a point intersecting a northeast line of Uhrichsville Precinct No. 1; thence northeast, along said line and new road laid out through the lands of Mrs. J. Uhrich, N. Pitenger and others, as described in boundary of Precinct No. 1, to the Uhrichsville and Deersville road; thence east, on said Uhrichsville and Deersville road, to the north line of lands of E. H. Gowin; thence northeast, on said line, to south line of the lands of Thomas Shipton, deceased; thence due east, on said Shipton's line, to the southeast corner of the lands of Isaac Wagner, deceased; thence due north, on east line of said Wagner's lands, to the northern boundary of Mill township; thence due east, on said boundary line, to the eastern boundary line (or the line dividing Tuscarawas and Harrison counties); thence south, on said line, to the southern boundary line of Mill township; thence west, north, west, north, west, north, west, to the place of beginning, on said southern boundary line of Mill township.

SEC. 2. That the elections in said precincts aforesaid shall be held at such places as the trustees of said township of Mill may prescribe.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK.

President of the Senate.

Passed February 10, 1885.

[House Bill No. 575.]

AN ACT

For the relief of John W. Schall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township clerk of Washington township, Hocking county, Ohio, shall, and he is hereby required to draw his order as such clerk on the township treasurer of said Washington township, in favor of John W. Schall, for the sum of seventy dollars, and said township treasurer shall pay said order so drawn out of any funds in his hands belonging to sub-school district number three (3) of said township, for the purpose of paying teachers; provided, that before said township clerk shall draw said order, and said treasurer shall pay the same, the board of directors of said sub-school district number three (3) of said township, shall, on the second Monday in April, 1885, submit the proposition to the qualified electors of said sub-school district number three (3); and provided, further, that a majority of the qualified electors at said election vote in favor of said payment.

SEC. 2. It shall be the duty of said board of directors of said sub-school district number three, before submitting said proposition, to give at least ten days' notice of the submission of said proposition, by posting notices in at least three conspicuous places in said sub-school district number three (3), of the time and object of said voting. The form of the ballots at said election on said proposition shall be as follows: "For refunding to John W. Schall the sum of seventy dollars—Yes." "For refunding to John W. Schall the sum of seventy dollars—No;" and if a majority of the qualified voters at said election shall vote in favor of said proposition, the said board of directors shall certify the sum to said township clerk, and thereupon he shall draw his order as provided in the first section of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 12, 1885.

[House Bill No. 633.]

AN ACT

For the relief of Speckman & Nieter.

WHEREAS, On the 16th day of January, 1877, block 45, in the east addition to the town of St. Marys, Auglaize county, Ohio, was improperly sold by the treasurer of said county for delinquent taxes erroneously assessed (it appearing from the certificate of the auditor of said county that said property belonged to the state of Ohio, and was erroneously taxed); and

WHEREAS, Said Speckman & Nieter purchased said property at said tax sale, and afterwards paid the taxes charged on the same in the years 1877 and 1878 (making a total of \$87.57, as appears from tax certificate of sale and tax receipts); and

WHEREAS, Said taxes cannot be refunded under existing laws; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners be and are hereby authorized and directed to exam-

ine the case above named, and if they find that said taxes were so improperly assessed and collected, to order the county auditor to draw his warrant in favor of said Speckman & Nieter for the amount so improperly collected, except so much thereof as has been paid into the state treasury, to be paid out of funds as directed by said commissioners.

SEC. 2. The auditor of said county, at his next semi-annual settlement, shall apportion the amount so refunded among the several funds, except the state fund, as is authorized by law in case of erroneous taxes.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 19, 1835.

[House Bill No. 684].

AN ACT

To authorize the incorporated village of Martin's Ferry, Ohio, to issue bonds for the purpose of building water-works, and supplying water to said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Martin's Ferry, Ohio, is hereby authorized to issue bonds of said village in a sum not exceeding one hundred thousand dollars, in denominations not less than one hundred dollars nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times as council may by ordinance prescribe, not more than forty years from date.

SEC. 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve to carry out the purpose for which they are issued.

SEC. 3. The proceeds of said bonds shall be used for the purpose of constructing water-works and supplying water to the said village and the inhabitants thereof, by a complete water-works system, to be constructed, owned and controlled by said village.

SEC. 4. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized annually, thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accruing on the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due.

SEC. 5. The question of issuing such bonds shall first be submitted to a vote of the qualified electors of said village at a general or special election held in said village, of which twenty days' notice shall be given by publication in a newspaper published in said village, and notices posted in fifteen of the most public places in said village. Those in favor of water-works and issuing said bonds shall vote, "Water-works—Yes;" and those opposed to water-works and

issuing said bonds shall vote, "Water-works—No." If a majority of the votes cast at said election are in favor of water-works and the issuing of said bonds, then the council shall proceed to issue said bonds, and not otherwise.

SEC. 6. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 19, 1885.

[House Bill No. 755.]

AN ACT

To authorize the village of Fostoria, Ohio, to purchase the grounds, improvements and property of the Fostoria cemetery association, and to levy a tax to pay therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of Fostoria, Ohio, be and they are hereby authorized to purchase the grounds, improvements, property and assets of the Fostoria cemetery association; to pay therefor, they may issue the village bonds in amount not to exceed three thousand dollars, in denominations of five hundred dollars each, bearing six per cent. interest, payable semi-annually, and to be sold according to law. Said bonds to be paid as follows: \$500 March 1, 1891; \$500 September 1, 1891; \$500 March 1, 1892; \$500 September 1, 1892; \$500 March 1, 1893; \$500 September 1, 1893.

SEC. 2. Said council is authorized, in case the revenues from the sale of lots of ground so purchased be insufficient to maintain the necessary care, improvements, embellishment, and the interest and principal of bonds issued under authority of section one of this act, to levy a tax of not to exceed two-tenths of one mill on the dollar in any one year on all the taxable property of said village.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 19, 1885.

[House Bill No. 809.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road from a point in the line between the counties of Brown and Adams, where the Winchester, Sardinia and Williamsburg state road crosses said line, and on the line of said road, as near as practicable, to the village of Mt. Orab in said county of Brown.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Brown county, Ohio, be and they are hereby authorized to construct a free turnpike road from a point where the county line between the counties of Adams and Brown, crosses the Winchester,

Sardinia and Williamsburg state road westward on the line of said road, as near as they may deem practicable, via South Fincastle and Sardinia, to the hamlet of Mt. Orab, in said county of Brown.

SEC. 2. Upon the presentation to said county commissioners of a petition praying for the construction of said turnpike, signed by twenty-five or more land holders along the line of said road, it shall be the duty of said county commissioners to determine the character of the turnpike to be constructed, and to appoint three disinterested freeholders of said county as viewers of the proposed route, and also a competent surveyor or engineer to straighten, lay out and locate said turnpike road, as nearly according to the prayer of said petition as practicable, and as may seem most conducive to the public convenience and utility. And said viewers and engineer shall perform said duties as directed by said commissioners, and shall make an estimate of the costs and expenses of locating and constructing said turnpike, and shall make report of their proceedings duly verified, to said commissioners at such time as they may direct.

SEC. 3. That said county commissioners, if they approve said report, and find that the said proposed improvement will be of public utility, and if those interested in such improvement shall pay or secure to be paid to said commissioners, a sum equal in amount to twenty per cent. of the estimated cost of said improvement as reported by said viewers and engineer, shall, by an order entered of record, locate and establish the line of said turnpike, and shall duly proceed to carry into execution the construction of the same, and shall in respect to the appropriation of lands and materials for the construction of said turnpike, and in respect to the letting of contracts for work thereon, be governed by the provisions contained in title six, chapter eight, of the Revised Statutes of Ohio, in relation to "two mile assessment turnpikes."

SEC. 4. Said county commissioners may, if they deem it best, issue the bonds of the county for the construction of said improvement bearing interest at six per cent. per annum, payable semi-annually, which bonds shall not be sold at less than their par value, and the time for the payment of which shall not be extended beyond ten years.

SEC. 5. That for the purpose of paying for the construction of said turnpike, or for paying the said bonds that may be issued as aforesaid, the said county commissioners shall levy and assess a tax not exceeding one mill on the dollar, annually, on all taxable property in said county, until said debt shall be extinguished.

SEC. 6. The compensation of persons appointed under this act shall be fixed by the county commissioners, and shall not exceed three dollars per day, except the surveyor and engineer, and the county auditor, who shall receive such compensation for their services respectively as is fixed by law for such services in similar cases.

SEC. 7. That a majority of said board of county commissioners shall be necessary to agree upon specifications, and order said improvement or any part thereof to be made.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 19, 1885.

Senate Bill No. 383.]

AN ACT

To fix the place of holding elections in Addison precinct of Jackson township, in Champaign county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That on the passage of this act and thereafter all elections for state, county or township officers, held in Addison precinct of Jackson township, in the county of Champaign, shall be held at the village of Addison, in said precinct, and the trustees of said township are hereby required to provide, in the manner authorized by law, a suitable house for said purpose.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 24, 1885.

[Senate Bill No. 358.]

AN ACT

To authorize the incorporated village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Clyde, Sandusky county, be and hereby is authorized to permanently transfer certain funds of the treasury of said incorporated village now in said treasury, and to be realized from annual levy made by ordinance passed May 30, 1884, as follows, to-wit: From the real estate fund, the sum of ten dollars; from the building fund, the sum of one hundred and seventy-seven dollars and ninety-seven cents; from the street improvement fund, the sum of two hundred and fifty-nine dollars and fifty-eight cents; from the fire fund, the sum of two hundred and ninety-two dollars and sixteen cents; from the sinking fund, the sum of twenty-one hundred and twenty-eight dollars and ninety-four cents; all of said sums to the water fund of said village. Also, from the fire fund, the sum of one hundred and twenty-five dollars; from the marshal and police fund, the sum of one hundred dollars; both said latter sums to the general corporation fund of said village.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 24, 1885.

[House Bill No. 698.]

AN ACT

To authorize the council of the village of New Carlisle, Clarke county, Ohio, to issue bonds to improve the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of New Carlisle, Clarke county, Ohio, be and it is hereby authorized and empowered to issue the bonds of said village, for a sum not exceeding five thousand dollars, in denominations not less than one hundred dollars, and at a rate of interest not exceeding six per cent. per annum, and shall not be sold for less than their par value; said bonds to be issued, signed, advertised, and sold according to law.*

SEC. 2. The council of said village shall apply the moneys arising from the sale of said bonds for the purpose of constructing and repairing the streets of said village, and for no other purpose or purposes whatever.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 20, 1885.

[House Bill No. 811.]

AN ACT

To authorize the incorporated village of Bryan, Williams county, Ohio, to issue bonds to meet the present indebtedness of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village council of the incorporated village of Bryan, Williams county, Ohio, be and is hereby authorized to issue the bonds of said village, in sums of not less than one hundred dollars each, and in the aggregate not to exceed four thousand dollars; said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable annually.*

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the corporation clerk of said village; said bonds shall be sold for not less than their par value. The principal of said bonds shall be payable at such times, not exceeding three years from the date thereof, as the council of said village may determine, by ordinance or resolution. The proceeds derived from the sale of said bonds shall be used by the council of said village only for the purpose of paying the present bonded and other indebtedness of said village.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[House Bill No. 732]

AN ACT

To authorize the auditor of Hamilton county to complete the plats, tax lists and duplicates of said county and supplemental to an act passed April 11, 1884 (81, O. L. 337).

WHEREAS, The destruction of the plats, tax lists, duplicates and records of the offices of the auditor and treasurer of Hamilton county, by the burning of the court house of said county, has thrown said offices into such confusion and doubt that it is impossible to properly and correctly list the property thereof for taxation, and a large amount of property is improperly listed, which must involve the county in numerous suits at law to its detriment, while a very large amount of property is not listed and paying no tax, to the great loss of the county and state; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the auditor of Hamilton county shall have power, agreeable to existing contracts, and he is hereby directed to complete and correct the plats, tax lists and duplicates, both real and personal property of said county, from all the information he can gather, by taking from the tax duplicate of 1883 and 1884 all property improperly placed thereon, and by placing thereon and listing for taxation all personal and real property subject to taxation, omitted from said duplicate, which list and duplicate, when so made up by him, shall be the legal tax list and duplicate of said county for the year 1885, and shall be so treated for all purposes.

SEC. 2. Whenever the auditor shall discover any real or personal property, the owner of which has failed to comply with the provisions of an act, entitled an act to remedy some of the injuries caused by the burning of the offices of the auditor, treasurer and commissioners of Hamilton county (81 O. L. 337), passed April 11, 1884, then and in each such case said auditor shall enter such person's name upon the list and duplicate, together with as accurate a description of the real estate as possible, and unless said auditor can accurately ascertain the assessed value of said property from official plats in his office, or papers issued therefrom, or from the treasurer's office of said county, or from official publications of delinquent, forfeited or other lists, he shall forthwith assess the value of the same, and enter such assessed value on said list and duplicate, and thereupon shall levy and assess against the same, taxes at the rate levied for all purposes for the year 1885, and he shall also add to said taxes the taxes that should have been levied and collected for all purposes against the same for the years 1883 and 1884.

SEC. 3. Whenever the auditor has reason to believe that any personal property was not listed, or was improperly listed, for taxation under the provision of said act of April 11, 1884, he shall forthwith assess the value of such personal property, and enter such assessed value against the owner on said list and duplicate, and thereupon shall levy and assess against the same the taxes or such additional taxes as should have been levied and collected under the provisions of said act; and to enable him to correct and complete said tax lists and duplicate as aforesaid, and to assess the value of such personal property, said auditor is authorized to examine any books, papers or inventories he may have reason to believe would aid him in carrying out the provisions of this act; and should any person whom said auditor may have reason to believe has possession or control of any such books, papers or inventories, refuse to submit the same for his inspection and use, said auditor may apply to the probate judge of said county for an order for the production thereof, whereupon said judge shall issue a citation to the person named by said auditor, requiring him to

show cause on some day, to be fixed by said judge, why said books, papers and inventories are not produced. And, upon the hearing, if said judge be satisfied that it is within the power of such person to produce the books, papers and inventories described by the auditor, he shall compel their production, under such reasonable regulations as he may direct, and shall enforce his order by fine or imprisonment, or both, as for contempt of court. In all cases where production of any book, paper or inventory is ordered, the cost of said application shall be paid by the person summoned, otherwise by the county.

SEC. 4. To carry out the provisions of this act, the auditor shall employ such assistance as he may deem necessary; and, to create a fund to defray the expenses to be incurred by this act and to be called "The tax duplicate fund," the commissioners of said county, without the concurrence of the board of control thereof, shall forthwith, upon the written request of said auditor, from time to time, as often as said auditor shall find it necessary, borrow and pay into the county treasury, money not exceeding in the aggregate the sum of sixty-five thousand (\$65,000) dollars, in such sums as said auditor shall find necessary, and at no greater rate of interest than five per cent.; and to secure the payment of the principal and interest thereof, the commissioners of said county shall issue the bonds of said county in the mode and manner prescribed by sections eight hundred and seventy-one and eight hundred and seventy-two of the Revised Statutes, and the act passed March 22, 1883, entitled "an act providing for the sale of public bonds," (80, O. L. 68); provided, however, that said bonds shall be issued with coupons or registered, due in thirty years, and redeemable in twenty years from date; provided, however, that payment from this fund shall be made upon the warrants of the auditor, upon the approval of the board of control; and provided, further, that no part of this fund shall be transferred to any other fund, or be used for any other purpose, by the commissioners of said county, until the completion of said plats, tax lists and duplicate, when the surplus, if any, shall be transferred to the county fund.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[Senate Bill No. 351.]

AN ACT

To authorize the council of the incorporated village of Ravenna, in Portage county, to issue the bonds of said village to build water-works therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the incorporated village of Ravenna, Ohio, is hereby authorized to issue bonds of said village in a sum not exceeding seventy-five thousand dollars, in denominations not less than one hundred dollars nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times as the council of said village may by ordinance provide, not more than thirty years from date.

SEC. 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may

be sold at such times and in such amounts from time to time as will best subserve the purposes for which they are issued.

SEC. 3. The proceeds arising from the sale of said bonds shall be used for the purpose of constructing water-works and supplying water to said village of Ravenna and the inhabitants thereof, by a complete water-works system to be constructed, owned and controlled by said village.

SEC. 4. Whenever the bonds of said village shall be issued as hereinbefore provided, it shall be the duty of the council of said village, and said village is hereby authorized annually thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accruing on the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as the same shall fall due.

SEC. 5. This act shall take effect on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[House Bill No. 546.]

AN ACT

To divide Hale township, Hardin county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township of Hale, in the county of Hardin, and state of Ohio, be and the same is hereby divided into two election precincts, as follows: The first shall be known as the Eastern precinct, with a voting place at Mt. Victory, in said township, and the West precinct, with a voting place at Ridgeway, with a dividing line as follows, to-wit: Beginning in the south line of said township at the south-east corner of the land owned by T. J. Dickason, thence north on the east lines of T. J. Dickason's land and John Dickason's land, known on atlas as C. Elder and Doland land, to the south-east corner of the Aaron Koplin land; thence west to said Aaron Koplin's south-west corner, thence northwardly on said Aaron Koplin's west line, and continuing in same course to the north line of survey No. 10,577, and south line of S. R. Ream's land, thence westwardly to said S. R. Ream's south-west corner, thence northwardly to said S. R. Ream's north-west corner, thence westwardly to J. P. Marman's south-east corner; thence northwardly on the east line of lands owned by J. P. Marman, Moses Kennedy, D. Baldwin, William Rule, A. Hommar and Mrs. S. Hogue, to said Mrs. S. Hogue's north-east corner, thence westwardly to the south-east corner of the P. M. Fent land, thence northwardly on the east lines of land owned by P. M. Fent and Mrs. E. Latimer, to the north line of the said Hale township.*

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 20, 1885.

[Senate Bill No. 372.]

AN ACT

To authorize the city council of the city of Defiance, Defiance county, to issue bonds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of Defiance, Defiance county, be and is hereby authorized to issue bonds to the amount of five thousand and five hundred dollars (\$5,500) for the purchase of additional grounds for cemetery purposes. Said bonds shall be issued in such denominations and at such times within a period of five years, as the council may determine, and shall bear a rate of interest not exceeding six per cent. per annum. Said bonds shall be sold according to law.*

SEC. 2. That for the purpose of paying said bonds and interest thereon, the council is hereby authorized to levy a tax upon all the taxable property of said city of Defiance, in addition to the amount already allowed to be levied by law.

SEC. 3. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 11, 1885.

[Senate Bill No. 320.]

AN ACT

To authorize the commissioners of Pike county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Pike county hereby are authorized, when in their judgment the best interest of the public requires, and the resident land owners along the route of road hereinafter named shall secure to the county all the rights of way, and all the earth, gravel and stone necessary to the construction of said road, free of costs and expense to the county, to construct a free turnpike, and for such purpose they are authorized to employ, at a reasonable compensation, a competent engineer or superintendent, to superintend the building of the same, and along the following route: Beginning at the M. P. church, near the village of California, in said county, running thence as near as can be to the present county road, to the cross roads near the residence of Thomas Allard, in Marion township, and thence to the Jackson county line, and being two and one-half miles in length.*

SEC. 2. That for the purpose of building said road, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build said road, to issue the bonds of said county, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent., and which bonds shall be sold according to law.

SEC. 3. That to pay said bonds and the interest thereon, as the same may become due, said board of commissioners are hereby authorized to levy a tax

not to exceed one mill on the dollar, annually, of the taxable property of said county.

SEC. 4. That in performing the duties required of the commissioners under this act, all duties not herein expressly set forth, shall be governed by the general laws of the state regulating the building of free turnpikes.

SEC. 5. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 754.]

AN ACT

To authorize the council of the incorporated village of Wellington, Ohio, to join with the township of Wellington, Lorain county, Ohio, in the construction of a town hall, for the joint use of said village and township, and to borrow money in payment thereof.

WHEREAS, Under the provisions of section 1479 of the Revised Statutes of Ohio, the trustees of said Wellington township did, on the first Monday of April, A. D. 1883, submit to the electors of said township the question of raising by taxation thirty thousand dollars for the erection of a town hall in said village of Wellington, for the use of said township, which submission resulted in favor of raising said sum by taxation; and

WHEREAS, The trustees of said township, in obedience to the said expression of the said electors thereof, did levy a tax of three mills on the dollar for each of the years A. D. 1883 and 1884, from which levy there has been realized the sum of eight thousand dollars or over, which sum is now in the treasury of said township for said purpose; and

WHEREAS, The incorporated village of Wellington, Ohio, wish to unite with said township in erecting a building for municipal and township purposes; now, therefore, to rightfully apportion the cost thereof between said township and said village, and to define and establish the rights and privileges of said township and village respectively in said building when erected,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of said township of Wellington are hereby authorized and required in the erection of said building, to build the same upon the site now owned by said township, for town hall purposes, and to construct in said building for said village, rooms suitable for storing fire engines and other apparatus for extinguishing fires, a mayor's office and council room, and any other rooms said council and trustees may agree upon as needed for municipal purposes, which rooms shall be under the exclusive control of said village council. All other rooms, halls and departments of said building shall be under the joint control of said township trustees and said village council, each body to act as a unit therein.

SEC. 2. All rents received from any rooms, part of rooms or halls under said joint control shall be used, so far as needed, for repairs or improvements thereon, and the balance shall be used for general township purposes; such rooms as shall be exclusively controlled by said village council shall be kept in repair by said council.

SEC. 3. Said township trustees, under the powers and limitations of sections 1479 and 1480 of the general laws of Ohio, shall levy taxes and issue bonds as therein provided, to raise the balance of the money needed for the erection of said town hall, the total cost of which shall not exceed the sum of thirty thousand dollars, of which sum seven-eighths ($\frac{7}{8}$) shall be assessed to said township and one-eighth ($\frac{1}{8}$) to said village, which levy of one-eighth part the council of said village is hereby directed to divide into five equal annual installments, and levy the same upon the taxable property of said village and pay the same when collected into the treasury of said township; in no event shall either or both of said levies exceed four (4) mills on the dollar per annum, of property returned for taxation in said township and village, or either of them.

SEC. 4. The said township trustees and village council are hereby authorized and directed to employ a competent architect, who shall prepare the necessary plans and specifications for said building, and shall proceed to let the contracts therefor in a manner and form as is provided in section 794 of the Revised Statutes of Ohio.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[House Bill No. 517.]

AN AOT

To authorize the trustees of Montgomery township, Ashland county, Ohio, to refund to Joseph Stofer certain money paid by him in lieu of money of the township, which had been lost by the township by reason of the failure of the bank in which he, as treasurer of said township, had deposited the money of the township for safe-keeping, and to issue bonds and levy a tax for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Montgomery, Ashland county, Ohio, be and they are hereby authorized, in their discretion, to refund to Joseph Stofer, late treasurer of said township, the sum of twelve hundred and twenty-one dollars and eighty-five cents, or so much thereof as they in their judgment may deem just and proper to be paid to him, the same being the amount of money by said Joseph Stofer paid to said township in lieu of money of said township which had been lost by the township by reason of the failure of the bank in which he, as treasurer of said township, from April 1876 to 1877, had deposited the funds of said township for safe-keeping; but before so doing, the trustees of said township shall submit the question of paying the same to the qualified electors of said township, at a regular election held in said township for the election of township officers, of which notice shall be published at least twice in any weekly newspaper, published and of general circulation within the limits of said township, of the time and place of holding such election; and if a majority of the electors voting at said election on said question shall vote in favor of the same, then, and not otherwise, shall the trustees of said township be authorized to refund the said sum of money aforesaid or any part thereof, that they may deem proper and right, as hereinafter provided. Those voting in favor of the refunding of said sum of money shall have written or printed on their ballots, "For

refunding to Joseph Stofer—Yes;” and those voting against the same, shall have written or printed on their ballots, “For refunding to Joseph Stofer—No;” and if a majority of the electors voting at said election on said question shall vote in favor of the same, then and not otherwise shall the trustees of said township be by this act authorized to issue bonds of said township in any sum not exceeding twelve hundred and twenty-one dollars, for the purpose of refunding said sum or any part thereof to said Joseph Stofer, as herein directed, and for no other purpose whatever.

SEC. 2. That said bonds bear interest at a rate not exceeding five per cent. per annum, and shall be made payable and become due at any time the trustees may deem proper, not to exceed six years, and shall be sold as provided by law.

SEC. 3. That the trustees of said township, for the purpose of paying said bonds and interest, are hereby authorized, if it shall become necessary to issue said bonds, to levy a tax in accordance with law, upon the taxable property, real and personal, of said township, to be certified to the auditor of said county of Ashland, and the same shall be collected as other taxes for township purposes.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[House Bill No. 770.]

AN ACT

To authorize and require the commissioners of Clarke county, Ohio, to pay a certain claim against the city of Springfield.

WHEREAS, The commissioners of Clarke county have heretofore purchased several turnpike toll roads within said county, and the same having been converted into free roads, and the same paid for, or will be paid for by taxes levied and collected from all the taxable property of said county, including the taxable property of said city; and

WHEREAS, The corporate limits of said city of Springfield have been so extended as to include a portion of the Mud Run and Springfield turnpike road, and the said turnpike company having made application to the commissioners of said county to sell all of said turnpike outside of the limits of said city, and thereby convert the same into a free pike, and the said company having commenced, or is about to commence, proceedings in the court of common pleas of said Clarke county against said city of Springfield to recover the value of said road so included within the corporate limits thereof; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Clarke county, Ohio, be and they are hereby authorized and required to pay the amount of any judgment that may hereafter be recovered against said city as and for the value of so much of said road as has been included within said city limits, or any sum that may be agreed upon by and between said turnpike company, the council of said city, and the commissioners of said county, shall be paid by said county commissioners as if judgment had been rendered for the same.

SEC. 2. That the said commissioners, upon notice of the pendency of said proceedings in said court against said city, may, upon their motion, have said

county made a party defendant; and thereafter said county shall have all the rights as defendant as it would have had, had it been a defendant at the commencement of said proceeding.

SEC. 3. That the commissioners of said county, upon the rendition of a judgment by said court against said city or county, as the case may be, or upon the compromising thereof, as provided in the first section, are hereby authorized, empowered and required to issue the bonds of said county sufficient in amount to provide the means to pay off and discharge said amount and costs; said bonds may run for any period not exceeding ten years, and bear interest not to exceed six per cent. per annum, payable semi-annually, and be advertised and sold according to law. And said commissioners are authorized to levy, in addition to what they are now authorized by law to levy on the taxable property of said county, including the property of said city, [such sum] as will pay the principal and interest of said bonds as the same fall due. Said commissioners are also authorized and required to pay to the said city the costs and expenses incurred in the construction of curbing, guttering and brick sidewalk, on the west side of Yellow Spring[s] street, in front of the property of said county, known as the Clarke county agricultural fair ground.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[House Bill No. 793.]

AN ACT

To divide Washington township, Monroe county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Washington township, Monroe county, Ohio, be and the same is hereby divided into two election precincts, as follows: The first shall be called the Graysville precinct, and shall comprise all the township sections of said township, north of the "old county line," from section one (1) to section twenty-four, inclusive; and the place of voting shall be at the town of Graysville, unless a majority of the voters shall agree upon another place. The second shall consist of all the balance of said township south of said "old county line," including therein, sections five (5), six (6), eleven (11), twelve (12), seventeen (17), eighteen (18), twenty-three (23), and twenty-four (24), and said place of voting shall be known as the Rinard's Mills voting precinct, where all elections of said precinct shall be held, unless a majority of the voters of said precinct shall agree upon another place.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 11, 1885.

[House Bill No. 775.]

AN ACT

To authorize the commissioners of Greene county, Ohio, to construct a certain turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Greene county, Ohio, be and they are hereby authorized to construct the following free turnpike: Beginning in the Selma and Jamestown road, at a point where the Solon road intersects the same; thence with the Solon road south-eastwardly through the lands of Richard Gordin, on the Charleston road, Henry Harper and others, to the Madison county line.

SEC. 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of one-fourth of a mill on the dollar annually on all property in said county upon the tax duplicate.

SEC. 3. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-fourth of a mill on the dollar, annually, on any and all property in said county.

SEC. 4. That a majority of the said board of commissioners shall, at any regular session, be necessary to agree upon specifications, and order the construction of said road, or any part thereof.

SEC. 5. This act shall be in force and take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 26, 1885.

[Senate Bill No. 414.]

AN ACT

Supplementing and amending an act entitled "an act to provide for rebuilding the court-house in Hamilton county, and to create a fund to pay for the same," passed April 14, 1884, (81 O. L., 362).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* in addition to the loan authorized by section twelve of the act referred to in the title hereof, and to increase the fund thereby created, the commissioners of Hamilton county, without the concurrence of the board of control thereof, shall forthwith, upon receipt of the orders of the board of trustees named in said act, certified by its chairman and clerk, from time to time, and as often as said board of trustees think necessary, borrow and pay into the county treasury, to the credit of the fund created by said act, such further sums of money, not exceeding in the aggregate the sum of one hundred and seventy-five thousand dollars (\$175,000), in such sums as, and at no greater rate of interest, than may be fixed by said board of trustees, and named in said orders respectively; and to secure the payment of the principal and interest thereof, the commissioners of said county shall issue the bonds of said county in the

manner provided in section twelve of said act referred to in the title hereof, and in section two of this act.

SEC. 2. The interest coupons upon the bonds issued under this act, and of those hereafter issued under section twelve of the act referred to in the title hereof, shall, if so directed in said orders of said board of trustees for the borrowing of money, be made payable when due, and for twenty days thereafter in the city of New York, as well as at the county treasury, the place of payment in New York to be selected by the county commissioners, and stated in said bonds.

SEC. 3. That section thirteen of said act be amended so as to read as follows:

Section 13. The commissioners of said county shall, annually, at their June session, levy such amount of taxes as will pay the interest on the indebtedness created under said act of April 14, 1884, and under this act, and create a sinking fund sufficient to redeem the same at maturity, not exceeding, for said sinking fund, two per centum per annum on the total indebtedness. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy said taxes upon the taxable property of the county, and place the same upon the tax list; and all the taxes levied and collected under the provisions of this act, shall be applied to the specific object for which they are levied, and no other.

SEC. 4. That said original section thirteen be and the same is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 18, 1885.

[House Bill No. 992.]

AN ACT

Supplementary to an act entitled "an act to authorize the commissioners of Miami county to issue bonds and levy a tax for the purpose of building a court house," passed April 10, 1884, (vol. 81, O. L., page 335).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Miami county be and they are hereby authorized to so change the plans for the construction of the court house, provided for by the act of April 10, 1884, as to adapt the same to a building occupying a full square of ground.

SEC. 2. Before permanently locating said court house building, the question of locating said building shall be first submitted to a vote of the electors of said county, at the next ensuing election for township and municipal officers in said county, and for this purpose the electors of said county are hereby authorized to have written or printed on their ballots, "For the 'Swales Square'—Yes;" "For the 'Swales Square'—No;" and if a majority of the electors of said county shall vote "Yes," the commissioners of said county shall locate said court house building thereon, but should a majority of said electors not vote in favor of said "Swales Square," said commissioners shall then locate said

court house building upon the square upon which the present court house in said county is now situated.

SEC. 3. It shall be the duty of the judges of election in the several townships of said county, to forthwith certify to the clerk of the court of common pleas the number of votes cast in said township at said election, the number of electors voting "Yes," and the number of electors voting "No;" and when the returns of said township judges have been so made, it shall be the duty of said county clerk to certify the result of said vote to the county commissioners of said county, who shall thereupon proceed as provided in section two (2) of this act.

SEC. 4. For the purpose of changing said plans and constructing a building to conform thereto, and for the purpose of obtaining, by purchase or otherwise, the additional grounds provided for in the first section of this act, said county commissioners are hereby authorized to issue the bonds of said county, payable at such times, and such denominations, and to such an amount, as may be actually required to carry out the provisions of this act, and no more, which bonds shall bear interest at the rate of six per cent. per annum, payable semi-annually, and sold according to law.

SEC. 5. That for the purpose of paying said bonds and the interest on the same, as the same shall fall due, said commissioners shall levy a special tax upon all the taxable property of said county, in addition to the taxes now authorized by law.

SEC. 6. If the electors of said county shall refuse by an affirmative vote to locate said building upon said "Swales Square," the commissioners of said county are hereby authorized to sell the part of said square now owned by said county at not less than the cost thereof, and apply the proceeds thereof to the construction and completion of said court house building, and to no other purpose whatever.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 18, 1885.

[House Bill No. 712.]

AN ACT

To authorize the council of the village of Rendville, Perry county, Ohio, to issue bonds to pay present indebtedness, improvements on prison, and purchase equipments for hook and ladder company.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Rendville, Perry county, be and the same is hereby authorized to issue bonds of said village in the sum not exceeding two thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from date of issue, interest payable semi-annually, for the purpose of paying present indebtedness, improvements on prison, and purchase equipments for hook and ladder company for the village of Rendville.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of the village. Said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will in the

judgment of the council best subserve the negotiation and sale thereof. The principal shall be payable at such time as the council of said village may determine. Said village council is hereby authorized to levy a tax upon all taxable property of said village to pay said bonds and interest.

SEC. 3. This act shall take effect from and after its date.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[House Bill No. 798.]

AN ACT

To authorize the council of the city of Mt. Vernon, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of Mt. Vernon, Ohio, be and they are hereby authorized to transfer five hundred dollars from the police fund to the improvement fund of city council chamber of said city.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 25, 1885.

[House Bill No. 759.]

AN ACT

To authorize the commissioners of Shelby county, Ohio, to levy an additional tax for the purpose of paying court-house bonds and interest thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Shelby county be and are hereby authorized to levy and assess annually upon the tax duplicate of said county for the years 1885, 1886, 1887, 1888, 1889 and 1890, for the purpose of paying court-house bonds and interest thereon, upon each dollar of the valuation of taxable property of said county, in addition to the levies now authorized by law, a sum not to exceed one-half of one mill annually.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed February 27, 1885.

[House Bill No. 521.]

AN ACT

To divide the township of Lebanon, Meigs county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township of Lebanon, in the county of Meigs, be and the same is hereby divided into two election precincts, for state, county and township purposes, as follows: Beginning on the Ohio river at the section line between the lands of Martin Adams and Reuben McCay; thence west along said section line to Ground Hog creek; thence following along the meandering of said creek in a north-westerly direction to the fourth or center section line; thence west along said line to the line between said Lebanon township and the township of Sutton of said Meigs county.*

SEC. 2. That all that part of said township lying north of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as the Portland precinct of said township; and all that part of said township lying south of said dividing line, shall be and is hereby constituted an election precinct, to be known and designated as Great River precinct of said township.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 11, 1885.

[House Bill No. 841.]

AN ACT

To authorize the council of the village of Madisonville, Hamilton county, Ohio, to issue bonds for the purpose of erecting a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Madisonville, Hamilton county, Ohio, is hereby authorized to issue the bonds of said village, not to exceed ten thousand dollars, and bearing a rate of interest not exceeding six per centum per annum, payable semi-annually, and to run not exceeding twenty years, and to be of denominations not less than one hundred dollars, for the purpose of raising money with which to erect a town hall; and the council shall have power to levy taxes on all taxable property within said village, for the purpose of paying said bonds and the interest thereon.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 806.]

AN ACT

To authorize the city council of the city of Mansfield, Ohio, to issue bonds for the purpose of purchasing a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Mansfield be and is hereby authorized and empowered to issue bonds of said city, in the sum of two thousand dollars (\$2,000), in denominations of not less than one hundred dollars (\$100), nor greater than five hundred dollars (\$500), bearing six per cent. annual interest thereon, and made payable at such times as said council may by resolution prescribe, but not to exceed six years. Said bonds shall not be sold for less than par, and the proceeds arising from the sale thereof, shall be used for the purpose of purchasing a steam fire engine for said city, and for no other purpose.

SEC. 2. That the city council of said city shall annually appropriate, out of any money in the city treasury that shall hereafter be levied and collected as taxes, for the purpose of paying the cost and expense of the fire department of said city, a sum sufficient to pay said bonds and the interest thereon at maturity.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 812.]

AN ACT

To authorize the trustees of Burton township, Geauga county, to repair their town hall.

WHEREAS, At a special election, held in the township of Burton, county of Geauga, on the 26th day of January, 1885, due notice of which was given, the electors voting at such election voted almost unanimously in favor of authorizing the trustees of said township to repair the town hall therein, at an expense not exceeding nine hundred dollars; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Burton, Geauga county, are hereby authorized to repair the town hall of said township, at an expense not exceeding nine hundred (\$900) dollars. And the said trustees, to provide for the payment of the debt incurred thereby, are authorized to issue the bonds of said township for a sum not exceeding nine hundred dollars, payable in not more than three years, bearing interest at a rate not exceeding six per cent., payable annually, at the office of the treasurer of said township, and which shall not be sold at less than par value. Said bonds shall be signed by the trustees of said township, and attested by the township clerk.

SEC. 2. Said trustees shall annually thereafter cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereof as

the same shall become due, in the manner provided by law for the levying and collection of taxes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 12, 1885.

[House Bill No. 641.]

AN ACT

To authorize the commissioners of Muskingum county, O., to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Muskingum county, Ohio, be and they are hereby authorized and empowered to build a bridge across the Muskingum river, near the mouth of Symmes creek, as nearly at right angles with the current thereof as may be practicable, and so as to connect the county road leading from Rock Cut station on the C. & M. V. R. R. to said river, with the county road on the east side of said river.

SEC. 2. Said bridge shall be built in a permanent and substantial manner, of iron, or such other material as said commissioners may determine, with a double track. But, before the construction shall be undertaken, the said commissioners shall submit the plan of the same to the board of public works of said state, and receive their approval thereof.

SEC. 3. That the said commissioners shall have power to borrow such sums of money as may be necessary to complete the construction of said bridge, and to issue the bonds of said county for the payment thereof dollar for dollar, which said bonds shall be payable in such sums, and at such times not exceeding ten years, as said commissioners may determine, and bear a rate of interest not exceeding six per cent. per annum, payable semi-annually.

SEC. 4. That to pay the interest on said bonds as the same shall accrue and the principal of said bonds as the same shall mature, the said commissioners are hereby authorized and empowered to levy a tax on all the taxable property on the tax duplicate of said county, not exceeding one and one-half mills on the dollar in any one year.

SEC. 5. Said commissioners, before determining upon a plan, or the material for the construction of said bridge, may call to their aid a competent engineer, to furnish plans and prepare drafts and specifications for the same; and the work of building said bridge may be done either under the supervision of said commissioners; or such engineer, to be appointed by them, and subject to their orders, as they may elect.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 13, 1885.

[Senate Bill No. 395.]

AN ACT

To authorize the village of Clyde, Sandusky county, Ohio, to issue bonds for the purpose of extending the public water-works of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Clyde, Sandusky county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding ten thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from date of issue, payable semi-annually, for the purpose of providing funds for extending the system of water-works of said village.

SEC. 2. The principal of said bonds shall be payable at such place and at such times, within a period not exceeding twenty-two years from the date of issue, as the council of said village may determine by ordinance; and the said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest, not to exceed one and one-half mills on the dollar in any one year.

SEC. 3. Said bonds shall be signed and sold according to law, and shall be issued in such amounts respectively as will, in the judgment of said council, best subserve the negotiation and sale thereof. The funds realized from the sale of said bonds shall be used by said council for the purpose of extending the system of public water-works of said village, which water works when extended, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying said tax, and of extending said water-works by said village of Clyde, shall be submitted to a vote of the qualified electors of said village at the regular spring election, to-wit: on the first Monday of April, A.D. 1885. The tickets to be voted at said election shall have written or printed thereon the words, "Extension of Water-works—Yes;" or, "Extension of Water-works—No;" and a majority of votes cast on the question at said election shall decide the said question.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 13, 1885.

[Senate Bill No. 297.]

AN ACT

Supplementary to an act entitled "an act to authorize and require the commissioners of Belmont county to build a court house and jail," passed April 10, 1884, (O. L., vol. 81, page 329), and to amend section 4 of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Belmont county be and they are hereby authorized to levy a special tax upon the property of said county, not exceeding fifty thousand dollars, in addition to the amount already authorized by the act entitled an act to authorize and require the commissioners of Belmont county to build a court house and jail, passed April 10th, 1884, for the purpose of en-

abling the board of county commissioners to build a court house and jail of such character and quality as the interests of the people of said county require.

SEC. 2. That section 4 of the aforesaid act be so amended as to read as follows, to-wit: The commissioners shall annually, at their June session, levy such tax as will pay the principal and interest on such indebtedness, not exceeding one and a half mills on each dollar of valuation of taxable property within their county in any one year.

SEC. 3. That said original section 4 of said above entitled act be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 19, 1885.

[House Bill No. 797.]

AN ACT

To authorize the trustees of Union, Liberty, Pleasant and Blanchard townships, Hancock county, to levy a tax to construct gravel or macadamized roads and highways in said several townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the township trustees of Union, Liberty, Pleasant and Blanchard townships, in Hancock county, be and they are hereby authorized to assess and levy upon the taxable property of said several townships, a tax not exceeding three mills upon the dollar of valuation in any one year, in addition to the amount of tax now authorized by law, for the purpose of constructing, graveling and macadamizing roads and highways in said several townships, and for no other purpose. The question of levying said tax and of constructing said roads and highways shall be submitted to a vote of the qualified electors of said several townships at the regular spring election on the first Monday of April, 1885. The tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and construction, graveling or macadamizing of said roads and highways.

SEC. 2. Said tax hereby authorized shall be collected as other taxes upon the grand duplicate of the county, and shall be paid in money, and shall be a township road fund, in said several townships, under the control and application of the said several township trustees, and shall be by them applied towards constructing, gravel or macadamized roads and highways in said several townships; provided, that no levy shall be made under this act after the year A. D. 1890.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 19, 1885.

[Senate Bill No. 413].

AN ACT

To authorize the county commissioners of Sandusky county, Ohio, to build an addition or additions, and make such changes on the present infirmary as they may deem proper, and connect said infirmary with the water works of the city of Fremont, Ohio, for fire and sanitary purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Sandusky county be and they are hereby authorized to build an addition or additions to, and make such changes on the present infirmary in said county as they may deem proper, and connect said infirmary with the water works of the city of Fremont, Ohio, for fire and sanitary purposes, at a cost for the erection, changes and connection of said infirmary with said water works, not exceeding twenty-five thousand (\$25,000) dollars; and for that purpose, they are hereby empowered to issue the bonds of said county, not exceeding in amount the sum of twenty-five thousand (\$25,000) dollars. Said bonds may be in denominations of not less than five hundred, nor more than twenty-five hundred (\$2,500) dollars, and payable with interest not exceeding six per cent. per annum, payable semi-annually, and have such coupons or interest warrants attached thereto as the commissioners of said county may direct.

SEC. 2. Said bonds shall be made negotiable and transferable, and be due and payable in one, two, three, four and five years from the date thereof, with interest and principal payable at the office of the treasurer of said county, and not to be sold for less than their par value and accrued interest; due notice shall be given of the sale of said bonds according to law; said bonds shall be issued and signed by the commissioners and countersigned by the county auditor of said county, who shall keep and preserve a record of each bond so issued in a book provided for that purpose.

SEC. 3. That the said county commissioners of Sandusky county, for the purpose of paying the interest on said bonds, and the principal of the same as they become due, be and they are hereby authorized and required to levy a tax annually, in addition to the tax now authorized by law, for one, two, three, four and five years, on the taxable property of said county, to be collected as other taxes, and applied respectively to the payment of the principal and interest of said bonds, as they mature, and said tax may be for any amount they may deem necessary, not to exceed five thousand (\$5,000) dollars and the interest herein provided for in any one year, and not exceeding in the aggregate the sum of twenty-five thousand (\$25,000) dollars, and the interest thereon at six per cent. per annum, payable semi-annually, and the said commissioners are hereby invested with all the power that may be necessary to carry into effect fully and completely the provisions of this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 19, 1885.

[House Bill No. 927.]

AN ACT

To authorize the council of the village of Jackson, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Jackson, Jackson county, Ohio, be and the same is hereby authorized and empowered to transfer from the street and alley fund of said village to the general fund of said village, the sum of fifteen hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 19, 1885.

[House Bill No. 815.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at North Liberty, and following as near the road known as the North Liberty and Russellville road as a good road can be constructed, to the Adams and Brown county line.

SEC. 2. Said commissioners may, in their discretion, order at once the construction of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar, annually, on all the taxable property of said county for the purpose of paying the said bonds and interest thereon.

SEC. 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications, and order said improvement or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 12, 1885.

[House Bill No. 876.]

AN ACT

To authorize the commissioners of Tuscarawas county to lease apartments in the basement of the county court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Tuscarawas county be and the same are hereby authorized to lease, from year to year, apartments in the county court-house for post-office purposes.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed March 13, 1885.

[House Bill No. 928.]

AN ACT

To divide Coal township, Jackson county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township of Coal, in the county of Jackson, and state of Ohio, be and the same is hereby divided into two election precincts, as follows: The first shall be called Coalton precinct, and shall comprise sections four (4), five (5), six (6), seven (7), eight (8) and nine (9) of township number seven, of range number eighteen, and sections number twenty nine (29), thirty (30), thirty-one (31), thirty-two (32), and thirty-three (33), of township number eighteen, in said township of Coal. The second shall be called Glen Roy precinct, and shall consist of the remainder of the territory in said township, being sections one (1), two (2), three (3), ten (10), eleven (11), and twelve (12), of township number seven, of range number eighteen, and sections thirty-four (34), thirty-five (35) and thirty-six (36), of township number eight, of range number eighteen, in said township of Coal.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 17, 1885.

[Senate Bill No. 397.]

AN ACT

To authorize the commissioners of Sandusky county to transfer and deliver to the Sandusky county agricultural society certain funds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Sandusky county be and they are hereby authorized to transfer and deliver to the Sandusky county agricultural society such*

moneys as have been raised by taxation, or otherwise in said county, or may be raised under the levy already authorized, for the purpose of the improvement of the said society's fair grounds.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[Senate Bill No. 429].

AN ACT

To authorize the village council of the incorporated village of Granville, Licking county, to issue bonds for the purpose of providing said village with a system of public water works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the incorporated village of Granville, Licking county, be and the same is hereby authorized to issue the bonds of said village, in the sum not exceeding fifteen (15) thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with water-works.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof. The principal and interest shall be payable at such time and place as the council of said village may determine by ordinance, within a period not exceeding fifteen years, and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest.

SEC. 3. The funds realized from the sale of said bonds, shall be used by the council of said village, for the purpose of erecting, constructing and paying for water-works for said village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying said tax, and of erecting and constructing said water-works for said village of Granville, shall be submitted to a vote of the qualified electors of said village, at the regular spring election, to-wit: on the first Monday of April, 1885, at the place of holding elections. The tickets to be voted at said election shall have written or printed thereon the words, "Water-works—Yes;" or, "Water-works—No;" and a majority vote of those voting on the water-works question at said election shall decide the question.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 870.]

AN ACT

To authorize the board of education of Milan school district, of Milan township, Erie county, Ohio, to issue bonds to pay the indebtedness incurred in furnishing public school buildings, and repair of public school grounds of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That for the purpose of paying the indebtedness of Milan school district, of Milan township, Erie county, Ohio, the board of education thereof are hereby authorized to issue bonds of said district, for an amount sufficient to pay the indebtedness incurred in furnishing public school buildings, and repair of public school grounds, not exceeding two thousand dollars.*

SEC. 2. Said bonds shall be issued by said board, and signed by the president, and countersigned by the clerk thereof, who shall keep a record of the same, the board to fix the denominations of said bonds, and time for payment of the same, and said bonds shall bear interest not exceeding six per cent. per annum, interest payable annually, and said bonds shall be sold according to law, for not less than their par value, and the proceeds to be used for no other purpose than that herein named, and the said board shall cause to be levied a tax in addition to the tax now authorized to be levied by law, on the taxable property of said school district, to be applied to the payment of said bonds and interest, sufficient to pay said bonds as they shall become due with the interest thereon.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 877.]

AN ACT

To authorize the trustees of Warren township, Trumbull county, Ohio, to levy a tax for the purchase of a lot and the erection of a soldiers' monument thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Warren township, Trumbull county, Ohio, are hereby authorized to levy a tax on all the taxable property of said township in the sum of six thousand dollars, for the purpose of the purchase of a lot or lots of the Oak Wood cemetery association, and of the erection thereon of a soldiers' monument. Provided, always, that the question of the erection of a soldiers' monument and the purchase of a lot or lots shall first be submitted to a vote of the qualified electors of Warren township, at the spring election of 1885, of which at least ten days' notice shall be given by publication in a newspaper of general circulation in said township, and at such election the ballots shall have written or printed thereon, "Monument and Lot Tax—Yes;" or, "Monument and Lot Tax—No;" and if a majority of those voting on the proposition vote "Yes," then it shall be the duty of said township trustees to make return of*

said levy to the auditor of said county, to be placed by him on the duplicate of said township and collected as other taxes.

SEC. 2. If in the opinion of said township trustees it would be more equitable so to do, they may levy one-third of said amount mentioned in the first section of this act, in 1885, one-third in 1886, and one-third in 1887.

SEC. 3. It shall be the duty of the trustees of Warren township, within thirty days after the passage of this act and its due ratification by a majority vote at the election as provided for in the first section of this act, to appoint a committee of five resident electors, who shall serve without compensation, whose duty it shall be to at once select and purchase a lot or lots in the grounds of said cemetery association, and as soon as practicable select and purchase and have erected thereon a suitable monument to the memory of the union soldiers and sailors of Warren township, who served in the war of the rebellion, and who died during the war, and who have since died, or who may hereafter die. Said committee shall have the full control of all the money raised under this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 936.]

AN ACT

To authorize the city council of the city of Steubenville, Jefferson county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the city council of the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to transfer, by ordinance, the sum of three thousand two hundred and twenty-nine dollars and seventy-three cents (\$3,229.73) from the improvement of the water works main fund, and two hundred and twenty-seven dollars and fifty-five cents (\$227.55) from the water works bonds and interest fund to the sinking fund of said city. Also, four hundred and fifty dollars and fifty-two cents from the workhouse fund of said city to the marshal and police fund of said city, and also two thousand two hundred dollars (\$2,200) from the marshal and police fund of said city to the fund for the erection of a corporation prison for said city, and said city council is hereby authorized to make any or all of said transfers, as may to it seem judicious.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 847.]

AN ACT

To reimburse D. V. Dingman.

WHEREAS, On the 19th day of October, 1877, the auditor of the state of Ohio sold to D. V. Dingman the following described Loramie reservoir lands in Shelby county, to-wit:

Tract number twelve (12), and being the fractional west part of the south half ($\frac{1}{2}$) of the northwest quarter of section number thirty-two (32), town seven (7), south of range five (5), east, containing twenty-one (21) acres, more or less, for the sum of ninety five (95) dollars, and the said D. V. Dingman having paid into the state treasury of Ohio the sum of one hundred and fourteen and forty-two one hundredths dollars (\$114.42), principal and interest ; and

WHEREAS, It appears of record that the auditor of state had no right to sell said land, and that the state was not the owner thereof:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any moneys not otherwise appropriated, from the general revenue fund, the sum of one hundred and fourteen and forty-two one-hundredths dollars (\$114.42), with interest from the 22d day of June, A. D. 1882, amounting to eighteen and five-hundredths dollars (\$18.05), which is hereby directed to be refunded to the said D. V. Dingman, when the said D. V. Dingman deeds, by quit-claim, to the state of Ohio the said lands described in the preamble of this bill, and the auditor of state is directed to issue his warrant upon the treasurer for the amount named.

SEC. 2. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 20, 1885.

[House Bill No. 796.]

AN ACT

To amend sections four, five and six of an act entitled "an act to incorporate Neville institute, in the county of Columbiana," passed March 10, 1837, and an act amendatory thereto, passed March 16, 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections four, five and six of an act entitled "an act to incorporate Neville institute, in Columbiana county, Ohio," passed March 10, 1837, and amended March 16, 1860, be so amended as to read as follows:

Section 4. That whenever any vacancy shall occur in the number of trustees of said institute, such vacancy shall be certified by the president and secretary to the probate judge of said county of Columbiana, and each and every vacancy, which may from time to time occur, shall be filled by said probate judge, and he shall also have power, upon sufficient cause shown, reasonable notice of the time and place of hearing being first given to the party interested, to remove any trustee, and may, until a hearing be had, suspend a trustee from the exercise of his office.

Section 5. The said trustees shall, within ten days after their appointment,

organize by appointing a president, secretary and treasurer from their own number, and shall severally take and subscribe an oath to faithfully discharge the duties of trustee, and deposit the same with the probate judge. Before entering on the discharge of his duties, the treasurer shall give bond in such sum as the probate judge may require, with two or more sufficient sureties, to be approved by the said probate judge, whose approval shall be indorsed on the bond. The said bond shall be made payable on default to the state of Ohio, and conditioned for the faithful management of the property, moneys and effects which come into his hands, by virtue of his office, and accountable thereof in such form as the probate judge may require, and the said bond shall be deposited in the office of the probate judge for safe-keeping.

Section 6. The trustees shall, on the second Monday of June in each year, and at such other times as the probate judge may require, render a full and accurate account, statement and exhibit of the school under their management, and the condition of the trust, estate and funds, and shall cause the same to be published in such form and manner as the probate court may direct. Said account, statement and exhibit shall, before the same is filed with the probate court, be first sworn to by the secretary and treasurer.

SEC. 2. Said original sections five and six, and said amended section four be and the same are hereby repealed; provided, however, that such repeal shall not affect any act done under said original and amended sections.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 823.]

AN ACT

To authorize the board of education of the city of Canton, in the county of Stark, and state of Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Canton, county of Stark, be and they are hereby authorized to borrow the sum of seventy thousand dollars, to be applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city, and purchasing sites therefor.

SEC. 2. That for the purpose of meeting the expense aforesaid, the said board are authorized to issue bonds, to be signed by the president, and attested by the clerk of said board, in denominations of not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twelve years, from the respective dates thereof as said board may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission; and that said bonds may, in the discretion of said board, have interest coupons attached, and said board may, in its discretion, make said bonds or interest thereon, or either, payable at the city of New York, or other point, to be designated in said bonds.

SEC. 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said board of education are hereby authorized and empowered to levy on all the taxable property of the said school district, a tax for such an amount annually, not exceeding the maximum authorized by the general laws, as will be sufficient to pay the principal of the debt evidenced by said bonds that shall fall due each year, and also the interest falling due semi-annually on the bonds so issued, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said school district.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 865.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county be and they are hereby authorized to construct a bridge across the Scioto river, at the point near where the Klickinger road crosses said river, or as near said point as the commissioners may determine in the exercise of their powers, and the performance of their duties. In that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act, but said bridge shall not cost to exceed twenty five thousand dollars (\$25,000), to be paid for out of the bridge fund, as raised by the annual tax levy of said county for bridge purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 940].

AN ACT

To authorize the city of Portsmouth to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Portsmouth be and is hereby authorized to transfer all of the "gas fund" of said city, which has or may hereafter accrue from sources of taxation, to a "general light fund."

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 909.]

AN ACT

To authorize the commissioners of Lucas county to pay a claim of Albert Hallett.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Lucas county be and are hereby authorized to pay Albert Hallett a sum not to exceed one hundred dollars, as they may deem just and equitable, for losses sustained in crossing a defective bridge over Grassy creek, in said county.*

SEC. 2. This act shall be in effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 807.]

AN ACT

To authorize and compel the trustees of Lake township, Ashland county, Ohio, to remove the dead, to purchase grounds for burial purposes, and sell certain burial grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of the township of Lake, in Ashland county, Ohio, are hereby authorized and compelled to purchase and pay for grounds to be used for cemetery purposes, for and within said township, in the near vicinity of what is called and known as McZena, a small unincorporated village in said township and county, and to provide for and remove or cause to be removed from the burial ground, at the village of McZena, in said township, all bodies remaining or being buried within the same, and to discontinue the use of said burial grounds at McZena, aforesaid, and prevent the further use thereof for burial purposes, and for the reinterment of said bodies, and the re-erection of such stones and monuments, marking the graves thereof, in some suitable and public ground in the near vicinity of McZena, in Lake township, Ashland county, Ohio, and to pay for the same out of township treasury of said township; provided, however, that they shall cause notice first to be given to the family, friends, or kindred of the deceased, if known to such trustees, of the order for their removal and of the time within which, not less than thirty days, such removal must be made, and that it is desired that such removal be made by the friends or kindred of the dead, and if at the expiration of such time such removals have not been made, such trustees shall cause them to be made as aforesaid.*

SEC. 2. The trustees of Lake township, Ashland county, are hereby empowered to dispose of at public sale, due notice thereof being first given in two newspapers of the county, of general circulation, for two consecutive weeks, and make conveyance of the said burial grounds at McZena, which, by this act, they are authorized to discontinue as burial grounds, either as a whole or in parcels, as said trustees may deem expedient, to the highest bidder; provided, however, that possession thereof shall not be given to a grantee until after the dead therein

buried, together with stones and monuments, shall have been removed as hereinbefore provided; and shall pay the proceeds of the sale of such land into the treasury of said township, and take receipts therefor in duplicate form, one of which shall be placed on file with the clerk of said township.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 813.]

AN ACT

To authorize the incorporated village of Camden, Preble county, Ohio, to borrow money, and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Camden, Preble county, Ohio, be and the same is hereby authorized to build a town hall in and for said village, and to raise money for that purpose, not exceeding four thousand five hundred dollars (\$4,500), in the manner hereinafter provided.

SEC. 2. The council of said village is hereby authorized to issue bonds, not exceeding in amount the sum of four thousand five hundred dollars (\$4,500), which shall not be sold for less than the par value thereof, the proceeds of which shall be used in payment for material, work and labor in the construction and furnishing of said town hall.

SEC. 3. Said bonds as aforesaid authorized, to be issued, shall be signed by the mayor of said incorporated village, and countersigned and registered by the clerk of said village, and may be issued in denominations of not less than one hundred dollars or more than five hundred dollars, bearing interest at the rate of six (6) per cent. per annum, payable annually. The principal and interest to be paid in three, four, five, six, seven, eight and nine years from the time of issuing said bonds, and in such amounts each year as the council of said village may direct.

SEC. 4. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 835.]

AN ACT

To authorize the trustees of Spencer township, Hamilton county, Ohio, to transfer unappropriated funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Spencer township, Hamilton county, Ohio, be and they are hereby authorized and empowered to permanently transfer the surplus funds remaining at any time in the township treasury to the credit of the cemetery fund, to the separate school funds of said Spencer township, viz.: Linwood school district and school district No. 3, of said Spencer township, both lying and being in said township; said fund to be distributed and divided pro rata, as determined by the certified enrollment of children of school age in said districts.*

SEC. 2 This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 866.]

AN ACT

To authorize the trustees of the Rock Hill Presbyterian church, of Belmont county, to sell a portion of their lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of the Rock Hill Presbyterian church, in Belmont county, Ohio, be and are hereby authorized to sell and convey any portion of the lands belonging to them and unsuitable for burial purposes.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 872.]

AN ACT

Authorizing commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Adams county be and they are hereby authorized to construct the following free turnpike road:*

Beginning at a crossing of Isaac's creek at the mouth of Williamson's hollow; up said hollow through lands of J. Y. Francis and William Roush and by the most practicable route to the Maysville and Zanesville turnpike; thence from

said turnpike at the lands of A. V. Hutson along the Decatur road to lands of Eliza Donaldson, from her lands down Suck run, through Wm. Roush's, John Roush's and Samuel Neal's land to the Brown county line.

SEC. 2. Said commissioners may at once, in their discretion, order the construction of said road as near the location thereof as practicable, and may require donations not exceeding twenty per cent. of the estimated cost of said road. Persons contributing to said donation may sign a written agreement subjecting their taxable property to taxation, which agreement shall be filed in the office of the county auditor, and from the time of filing shall operate as a lien upon the real estate of the several signers, for the purpose herein provided.

SEC. 3. Said commissioners may assess a tax upon the taxable property of the county to pay for construction of said road, and may issue bonds bearing six per cent. interest, which shall not be sold for less than their par value, or they may pay for said road out of funds in the county treasury levied for road improvement purposes.

SEC. 4. A majority of said commissioners may, at a regular or special session, agree upon plans and specifications, and order said improvement or any part thereof.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1885.

[House Bill No. 904.]

AN ACT

To authorize the commissioners of Highland county to purchase a children's home, and to sell certain lands not necessary for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Highland county be and they are hereby authorized to establish a children's home in said county, and for that purpose may purchase a house and lands therefor, at a cost, including all necessary repairs, not to exceed ten thousand dollars.

SEC. 2. For the purpose of providing for the payment for said house and the necessary repairs thereon, the commissioners are hereby authorized to issue the bonds of said county for a sum not exceeding ten thousand dollars, to bear interest at a rate not to exceed six per cent., payable semi-annually, and the same shall be payable at such times as said commissioners may deem best, not to exceed ten years from the date of their issue, and the same shall be sold according to law. For the purpose of paying said bonds and the interest thereon as the same become due, the commissioners are hereby authorized and required to levy annually a tax sufficient to pay the same, on all the taxable property of the county, in addition to the levies now authorized by law. In all respects, except as hereinbefore named, the home shall be conducted in the manner provided by law.

SEC. 3. If in the judgment of the commissioners the interest of the county will be subserved thereby, they are hereby authorized to sell and convey so much of the infirmity farm as is not needed for county purposes. The same may be sold for cash or on time payments, to be secured by a mortgage on the

premises, and to bear six per cent. interest, payable annually, and the proceeds arising from the sale thereof shall be applied toward paying the bonded indebtedness of the county, and for no other purpose whatever, and upon the payment of the amounts secured by mortgage the said commissioners are hereby fully authorized to cancel the same.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 24, 1885.

[House Bill No. 907.]

AN ACT

To authorize the board of education of Wauseon village school district to levy a tax, in addition to that now authorized by law, for the purpose of maintaining and supporting the public schools of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of Wauseon village school district, of Fulton county, Ohio, be and is hereby authorized to levy upon all the taxable property of said district, not exceeding one mill on the dollar valuation, for the years 1885, 1886 and 1887, in addition to the amount now authorized by law to be applied in the maintenance and support of the public schools of said village of Wauseon.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[Senate Bill No. 337.]

AN ACT

To authorize the council of the incorporated village of Waverly, Pike county, Ohio, to issue bonds for the erection of a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Waverly, Pike county, Ohio, is hereby authorized to issue the bonds of said village, in a sum not exceeding ten thousand dollars (\$10,000), and in denominations not less than fifty nor greater than five hundred dollars, bearing a rate of interest not exceeding six (6) per centum per annum, payable semi-annually, and redeemable within fifteen (15) years, at not less than one thousand dollars (\$1,000) per year after five (5) years from date of issue, and for the purpose of erecting a town hall in said village.

SEC. 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall be sold in such manner as the council shall decide, at not less than their par value, and be issued in such amounts, respect-

ively, from time to time, as will, in the judgment of said council, best effect the sale thereof.

SEC. 3. That for the purpose of paying said bonds, and accruing interest thereon, as the same shall become due, the council of said village is hereby authorized and empowered to levy and assess a tax upon all the taxable property of said village, not exceeding three mills, in addition to the amount allowed by law, every year during the time said bonds have to run, sufficient in amount each year to pay the interest on, and to redeem that portion of said bonds issued in pursuance of this act, that will fall due during such year, and the money so raised shall not be used for any purpose other than for the paying of said bonds, and the interest thereon.

SEC. 4. That before such bonds shall be issued, and before any contract shall be made for the erection of a town hall, the question of such issue of bonds for such purpose shall be first submitted to the qualified voters of said village, at any general election, of which ten days' notice shall be given in two newspapers of general circulation in said village, or at a special election to be held at the usual place of holding elections in said village, after ten days' notice thereof shall have been published in two newspapers having a general circulation in said village, designating the proposed amount of bonds to be issued, and the purposes for which issued. Those in favor of the issue of said amount of bonds for said purpose shall have written or printed on their tickets at such election, "Town Hall—Yes;" and those opposed, "Town Hall—No." The returns of said election shall be made to the village clerk, who shall present the same to the council at their next regular meeting thereafter, when the same shall be canvassed by said council, and the result shall be entered upon the minutes, and if it shall appear that a majority of the electors voting upon such question had upon their ballots, "Town Hall—Yes," then said council may proceed to issue said bonds, and to erect a town hall, and not otherwise.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[House Bill No. 632.]

AN ACT

To authorize the commissioners of Auglaize county to settle a certain claim herein named, made by Arthur Bitler for extra work on a certain county ditch in said county, and to apportion any amount that may be found due on said claim to the lands benefited by said ditch.

WHEREAS, The said Arthur Bitler, on the 22d day of September, 1883, contracted with the surveyor of Auglaize county for the construction and cleaning out of sections 9, 10, 11 and 12 of what is known as the Metz ditch (an old ditch) in said county; and

WHEREAS, Said surveyor made an estimate of the number of cubic yards of earth required to be excavated from said sections, which estimate said Arthur Bitler supposed had been made but a short time prior to said 22d day of September, 1883, and relied wholly upon said estimate as being correct, and made his bid and entered into contract with reference thereto; and

WHEREAS, In fact, said estimate was made by said surveyor about two years

prior to the sale to said Arthur Bitler for use in a prior sale of said ditch, and between said first sale and the sale to said Arthur Bitler a large amount of accretion formed in said ditch; and

WHEREAS, Said Arthur Bitler, in the performance of his contract, removed said accretion and completed his said contract to the satisfaction and acceptance of said surveyor and the board of commissioners of said county; and

WHEREAS, The court of common pleas of said county has decided and held that under these facts the county commissioners have no power by law to allow any claim for extra work required to remove said accretion; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Auglaize county, Ohio, be and they are hereby authorized, upon satisfactory proof of such extra work, to order the county auditor to draw his warrant upon the county treasurer, in favor of said Arthur Bitler, for the amount they may find to be justly due him for said extra work, to be paid out of the general fund of Auglaize county.

SEC. 2. The county commissioners shall apportion the amount so found due, to the lands benefited by said ditch, according to law.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[House Bill No. 711.]

AN ACT

To authorize the Quincy precinct of Miami township, Logan county, to elect a board of trustees of cemetery, and defining their duties and powers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the electors of the Quincy precinct, of Miami township, Logan county, shall, at the election to be held on the first Monday in April next, elect a board of three trustees, each of whom shall be a freeholder elector of such precinct, which board shall be known as the trustees of the Quincy precinct cemetery.

SEC. 2. The said trustees shall serve without compensation, and hold their offices three years, except at the first election one of the trustees shall be elected for one year, one for two years, and one for three years; and thereafter one shall be elected annually, and a majority shall constitute a quorum. Should any vacancy occur in said board, the trustees of said Miami township shall appoint a person having the qualification herein required to fill said vacancy, and the person so appointed shall hold his office until the next spring election.

SEC. 3. Said trustees shall have full power and authority to locate and purchase grounds for a cemetery for said Quincy precinct, and shall take possession of the same, and shall have the entire management and regulation of said grounds; and they shall direct the laying out of said grounds into lots, avenues, walks, or other sub-divisions, which lots shall be numbered, the avenues named, and a plat thereof, which shall be filed in the office of the secretary.

SEC. 4. The said trustees shall have full power to improve such grounds and protect and preserve the same, and they shall make such by-laws and regulations as they may deem needful for the management and protection of such

burial grounds, and which by-laws and regulations shall have the force of law so far as relates to said cemetery.

SEC. 5. The trustees shall determine the size and price of lots and the terms of payment therefor, and, when paid for, shall give to the purchaser a certificate showing the amount paid and a description of the lot sold, which certificate shall vest a full title to said lot in the purchaser.

SEC. 6. No more shall be charged for said lots than is necessary to embellish and keep said grounds in repair, and provision shall be made for the interment of all persons buried at the expense of said Quincy precinct; but said trustees may select lots for such persons who are unable to pay for the same, free of charge.

SEC. 7. Said trustees shall have entire charge and control of the receipts from sale of lots, and the proceeds of all taxes which may hereafter be collected for the use of said cemetery. Said trustees may appoint one of their number to sell said lots, receive payment therefor, and direct improvements.

SEC. 8. The treasurer of said Miami township shall pay out of moneys now in his hands, collected for the purposes of said cemetery, on the order of the trustees elected by virtue of this act, to the amount now in his hands.

SEC. 9. Said trustees shall elect one of their number as clerk and treasurer, who shall draw his order on the township treasurer of said township for all moneys hereafter paid into such township treasury for such cemetery, but no order shall be issued except when ordered by said cemetery board.

SEC. 10. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[House Bill No. 843.]

AN ACT

For the relief of Frederick B. Leonhart, treasurer of Flatrock township, Henry county, Ohio.

WHEREAS, Frederick B. Leonhart, as treasurer of Flatrock township, in Henry county, being a township not provided with a "good fire and burglar-proof safe," did, under the provisions of section 1513 of the Revised Statutes of Ohio, deposit the township, school, and other funds belonging to said township, for the year 1883, in the Bank of Sheffield & Norton, at Napoleon, in the said county of Henry, to the aggregate amount of \$600; and

WHEREAS, The said bank did, on the 16th day of October, 1883, make an assignment, and has paid upon its deposits but the sum of twenty-five per centum thereof; and

WHEREAS, A large amount of the assets of said bank are in litigation, and will be attended with much delay in the collection thereof, and a large amount of the said assets consists of real estate, and will also require much time to convert into money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Flatrock township, Henry county, Ohio, are hereby authorized to settle, compromise with, and release Frederick B. Leonhart and his official securities, in their official bond, as treasurer of said township, from the payment of \$450, belonging to the township and school funds of said township,

upon the assignment, transfer, and delivery by the said Frederick B. Leonhart to said trustees, of the certificate of deposit issued to him for the said funds by the said Sheffield & Norton; provided, that the said trustees shall submit said proposition, to so release, to the qualified electors of said township, at the first general spring election, hereafter to be held in the said township, and a two-thirds majority of said electors voting upon the said proposition shall declare in favor of said release.

SEC. 2. It shall be the duty of said trustees to provide a special ballot-box for such ballots, and the form of the ballot shall be as follows: "For release—Yes;" "For release—No;" and the said trustees shall make the return of the result of said election to the auditor of said Henry county, who shall file the same in his office

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[House Bill No. 918.]

AN ACT

To authorize the incorporated village of Hartwell, Hamilton county, Ohio, to borrow money to build town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Hartwell, Hamilton county, Ohio, be and it is hereby authorized to borrow a sum not to exceed fifteen (15) thousand dollars, to be applied for the erection of a town hall on the lot now owned by, said village.*

SEC. 2. That for the purpose aforesaid, the said council is authorized and empowered to issue bonds to be signed by the mayor and attested by the clerk of said village, in sums of not less than fifteen dollars nor more than five hundred dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding fifteen years from the respective dates thereof, as said council may determine; said bonds not to be sold for less than their par value.

SEC. 3. That the council of said incorporated village shall levy a tax, annually, on all the taxable property within the limits thereof, sufficient to pay said bonds and interest as they shall become due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as are other taxes.

SEC. 4. That the council or mayor of said village shall give ten days' notice to the qualified voters of said village, submitting the question of erecting a town hall. Those voting in favor of said tax shall write or print upon their tickets: "Town hall—Yes;" and those opposed thereto, "Town hall—No." And if a majority of the votes cast upon the question at said election shall be in favor of said tax, the council shall then proceed to build the hall and sell the bonds for the payment of the same.

SEC. 5. This act shall take effect and be in force from and after its passage

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 25, 1885.

[House Bill No. 790.]

AN ACT

For the relief of William Felger.

WHEREAS, William Felger, treasurer of Green township, Wayne county, Ohio, was maliciously robbed on the night of April 17, 1883, of one hundred and forty dollars and ninety-seven cents, belonging to the school fund of said township; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Green township, Wayne county, Ohio, are hereby authorized to release William Felger and his official securities in their official bonds as treasurer of said township, from the payment of the sum of one hundred and forty dollars and ninety-seven cents (\$140.97), belonging to the school and township funds of said township; provided, that the said trustees shall submit said proposition to release, to the qualified electors of said township, at a general or special election, and two-thirds of said electors voting at said election shall declare in favor of said release.

SEC. 2. It shall be the duty of said trustees, before submitting said proposition at a special or general election, to give notice by advertisement, posted in three conspicuous places in said township, at least ten days next preceding said election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be the following: "For release—Yes;" "For release—No." The trustees shall provide a ballot-box for such ballots, and make due return of the result of said election to the auditor of said county.

SEC. 3. This act shall take effect on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed March 26, 1885.

[House Bill No. 964.]

AN ACT

To authorize the commissioners of Hocking county, Ohio, to provide for certain deficiencies in the county funds and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hocking county, Ohio, for the purpose of meeting and providing for certain deficiencies in the county and poor funds of said county, are hereby authorized to issue the bonds of said county to the amount of twenty thousand dollars. Said bonds shall be issued at such times and in such sums as said commissioners deem proper, and shall be made payable at any time within six years, and said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be payable semi-annually, and said bonds, when issued, shall not be sold for less than their par value.

SEC. 2. Said commissioners are hereby authorized and required to levy an additional tax, not exceeding five-tenths of one mill on the dollar in any one year, for six years, on all the taxable property of said county, to meet the payment of said bonds and the accrued interest thereon.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 932.]

AN ACT

To authorize the trustees of Elyria township, Lorain county, Ohio, to levy a tax for the erection of a soldiers and sailors' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Elyria township, Lorain county, Ohio, are hereby authorized to levy a tax on all the taxable property of said township, in the sum of not exceeding eight thousand dollars, for the purpose of erecting on the public park in the village of Elyria, in said Elyria township, a monument to the memory of the deceased soldiers and sailors of said township; provided, that the question of levying said tax for the erection of said soldiers and sailors' monument, shall first be submitted to a vote of the qualified electors of said township of Elyria, at the regular spring election of 1885, of which notice shall be given by said trustees by publication in two newspapers published in said township, in their regular issues on the week previous to said election, and at such election the ballots shall have written or printed thereon, "Monument Tax—Yes;" or, "Monument Tax—No;" and if a majority of those voting on the proposition vote "Yes," then it shall be the duty of the said township trustees to make return of said levy to the auditor of said county, to be by him placed on the duplicate of said township and collected as other taxes. Provided, further, that said levy shall not exceed one mill on the dollar in any one year, and shall not extend beyond the period of three years.

SEC. 2. Said monument shall be erected by and under the supervision of the trustees of said Elyria township, when sufficient money is raised by said levy to warrant the completion of the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 925.]

AN ACT

To authorize the incorporated village of Toronto, Jefferson county, Ohio, to issue bonds and build a sewer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the incorporated village of Toronto, Jefferson county, Ohio, is hereby authorized to issue bonds of said village, in a sum not exceeding two thousand dollars, in denominations of one hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times as council may by ordinance prescribe, not more than twenty years from date.

SEC. 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times, and in such amounts from time to time, as will best carry out the purpose for which they are issued.

SEC. 3. The proceeds of said bonds shall be used for the purpose of constructing a sewer from a point near the Cleveland and Pittsburgh railway, in said village, to the Ohio river, by the most practical route.

SEC. 4. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized and required, annually thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village, sufficient to provide for the payment of said bonds, and the interest thereon, as the same may become due and payable.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 903.]

AN ACT

To authorize the board of education of Cedarville village school district, in Greene county to issue bonds to pay existing liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Cedarville village school district, in Greene county, be and the same is hereby authorized to issue in the name of said board, six bonds of one hundred and sixty-seven dollars each, payable at a place therein designated, in twelve, eighteen, twenty-four, thirty, thirty-six and forty-two months from date, respectively, with interest at not exceeding six per cent. per annum, payable semi-annually, which bonds may be sold at not less than their face value, and the proceeds applied to the payment of the existing liabilities of said board.

SEC. 2. There shall be certified and levied upon the taxable property of said district, in addition to the other levies authorized by law, a tax, each year sufficient to pay the two bonds of said series next falling due, with the interest thereon, and the interest on those not due.

SEC. 3. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 901.]

AN ACT

To sub-divide the north election precinct of Lemon township, Butler county, Ohio, into two (2) election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the present north election precinct of Lemon township, Butler county, state of Ohio, be and the same is hereby divided into two (2) election precincts, as

follows: All that part of said north election precinct lying north of Third (?d) street in Middletown, Ohio, and north of the Middletown and Blue Bull turnpike leading from the east end of said Third street, in said town, to the county line between Butler and Warren counties, at Blue Bull, in said county, shall be known as precinct number one (1); and all that part of said north election precinct lying south of said street and said turnpike, shall be known as election precinct number two (2); and elections shall be held in both precincts for all purposes, and at such places therein as the trustees of said township may fix.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 794.]

AN ACT

To transfer certain lands from the east to the west precinct of Bloom township, Morgan county, for election purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the east fraction of section twenty-five (25), in township 10, range 12, Morgan county, Ohio, be and the same is hereby transferred from the east to the west precinct of Bloom township, for election purposes, being all that part of said section east of the Muskingum river.*

SEC. 2. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 758.]

AN ACT

To authorize and require the commissioners of Ashland county, Ohio, to build a jail and residence in the same for the sheriff of said county, and to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Ashland county, Ohio, are hereby authorized and required to construct a jail, including apartments therein to be used by the sheriff or jailer of said county as a residence, at the county seat of said county, to-wit: at the incorporated village of Ashland; and a plan shall be determined upon and the contract let according to law, which contract shall require the building aforesaid to be completed as soon as practicable, at a cost not to exceed thirty thousand dollars.*

SEC. 2. That the said commissioners shall have no power to make an extra allowance to any contractor for the building of said jail and sheriff's residence, or any part thereof; nor shall any change or alteration be made which will affect

the contract, unless the difference in the cost of said alteration or change be first agreed upon by the said commissioners and the contractor affected by said change or alteration; and no change or alteration shall be made which will increase the cost of said jail building and sheriff's residence therein over the sum of thirty thousand dollars.

SEC. 3. That the commissioners of said county, for the purpose of building said jail and sheriff's residence therein, are hereby authorized to borrow such sum of money as they shall deem necessary, but not to exceed the sum of thirty thousand dollars, at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, and to issue bonds of said county to secure the payment of the principal and interest thereon. The principal of said bonds shall be paid at such times as the commissioners may prescribe, within three years from the date of such indebtedness, at the town of Ashland, in the county of Ashland, Ohio; said bonds to be sold at not less than their par value; principal and interest shall be paid at the county treasurer's office of said county.

SEC. 4. That the bonds so issued shall be signed by the commissioners of said county of Ashland, or any two of them, and countersigned by the auditor, with or without coupons attached, in sums of not less than fifty nor more than five hundred dollars each, payable to the bearer at the county seat treasury, with interest, as aforesaid, at such times not exceeding three years after their date, as the commissioners of said county may prescribe, and such bonds shall specify the object for which they were issued.

SEC. 5. The commissioners of said county of Ashland shall, annually, at their March session, levy such amount of taxes as will pay the interest on said indebtedness, and at least one-third of the principal.

SEC. 6. That said commissioners be and they are hereby authorized to remove and dispose of the materials of the old jail and sheriff's residence, or sell the same, to be removed, at public or private sale as they may deem best, and to provide suitable accommodation for the sheriff to reside and for jail purposes within said county, or in any other county in Ohio, during the erection of said new building.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 926.]

AN ACT

To authorize the construction of a building for village and township purposes in Cedarville, Greene county, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Cedarville, and the trustees of Cedarville township, Greene county, be and they hereby are authorized to construct in said village a building or buildings upon the site of the mayor's office in said village, or partly upon that site and partly upon adjoining land, for village and township purposes, upon such terms as to costs, occupancy, use and otherwise as they may*

agree upon in writing. And any agreement entered into by them in that behalf shall be entered at large upon their minutes respectively. Said council and trustees, or either of them, may purchase the necessary real estate additional to said site for the purpose herein contemplated, and may alter any building upon said site to conform to the general plan of structure agreed upon and adopted.

SEC. 2. Said council is authorized to sell, and through its president to convey, the engine-house site in said village, with the building thereon, and apply the proceeds to the payment of its share of the expense of the improvement aforesaid. And said trustees are authorized to apply any money or means in their hands, or that may be in their hands, applicable to the construction of a township house, to the improvement herein authorized.

SEC. 3. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 1, 1885.

[House Bill No. 952.]

AN ACT

To authorize the board of county commissioners of Hamilton county to issue bonds for the purpose therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Hamilton county is hereby authorized to borrow in behalf of said county, any sum not exceeding two hundred and sixty thousand dollars to pay deficiencies existing, and that may exist in the various funds of said county including the fee fund thereof and the special road and bridge funds for the years 1884 and 1885. Said money shall be paid into the treasury of said county, and expended according to law.

SEC. 2. For the payment of said loan the board of county commissioners shall issue the bonds of said county, signed by the president of said board and countersigned by the auditor of said county, in any sum not to exceed two hundred and sixty thousand dollars, bearing interest not exceeding five per centum per annum, payable in not less than ten and not more than thirty years, at the option of said board of county commissioners, and said bonds to be of such denominations as said board may direct, and shall be sold for not less than par value, and according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[House Bill No. 777.]

AN ACT

To authorize the commissioners of Adams county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to-wit: beginning at the Maysville and Zanesville turnpike road, in the town of Bentonville, thence west with the county road as near as practicable to the Liberty and Sprigg township line; thence with the Decatur road, as near as practicable, to the Brier Ridge church; thence down the Finney hollow to Eagle creek, at or near the residence of G. B. Ayers; thence with the Decatur road, as near as a good road can be constructed, to intersect the West Union and Decatur road.*

SEC. 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds not to exceed one thousand dollars per mile for the construction of the same, bearing six per cent. interest, which shall be sold according to law, and may levy a tax, not exceeding two mills on the dollar, annually, on all the taxable property of said county, for the purpose of paying the said bonds and interest thereon.

SEC. 3. A majority of said commissioners may, at any regular or special session, agree on plans and specifications, and order said improvement or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[House Bill No. 902.]

AN ACT

To authorize the board of education of the village of Jamestown, Greene county, Ohio, to borrow eleven thousand dollars for the construction and furnishing a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the village of Jamestown, in Greene county, Ohio, be and are hereby authorized to borrow the sum of eleven thousand dollars for the purpose of constructing and furnishing the school building destroyed by cyclone in said village in April, 1884; provided, that said sum shall be in lieu of the sum of eleven thousand dollars said board were authorized to borrow, by a vote of the electors of said Jamestown village school district in the spring of 1884.*

SEC. 2. That for the purpose aforesaid, the said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not

exceeding twenty years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached thereto.

SEC. 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy annually a tax on the property within said school district sufficient to pay the same in addition to the levy now authorized by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[House Bill No. 951.]

AN ACT

To authorize the council of the city of South Toledo to improve certain lands and issue its bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the city of South Toledo, Lucas county, Ohio, be and the same is hereby authorized to issue the bonds of said city in the sum of ten thousand dollars (\$10,000), bearing interest not exceeding six per cent. per annum, payable semi annually from the date of issue, for the purpose of improving and beautifying certain grounds, known as the "Old Court House Grounds," in said city, by causing certain buildings to be erected thereon, and otherwise beautifying the same in such manner as said council shall determine.

SEC. 2. Said bonds shall be issued and made payable five years from date, and in such denominations as will, in the judgment of said council, best subserve the negotiation and sale of the same.

SEC. 3. The council of said city, for the purpose of paying said bonds, is hereby authorized, in addition to all other levies, to levy a tax upon all the taxable property and real estate of said county of Lucas, and to be collected as other taxes for city purposes.

SEC. 4. Said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the voters of said city of South Toledo, at a general or special election, of which ten days' notice shall be given by publication in a corporation paper or papers. At said election all voters desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for improvement of Old Court House Grounds—Yes;" and all voters desiring to vote against said issuing of said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for improvement of Old Court House Grounds—No." No bonds shall be issued, and no taxes levied under this act, unless a majority of all the votes cast at said election on said question shall be in favor of such issue and levy.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 3, 1885.

[House Bill No. 945.]

AN ACT

To authorize the council of the incorporated village of Hillsborough, Highland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Hillsborough, Highland county, Ohio, be and are hereby authorized to transfer the sum of one thousand dollars from the sanitary fund of said village to the street and fire department funds, (each five hundred dollars).*

SEC. 2. *This act shall take effect and be in force from and after its passage.*

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 4, 1885.

[House Bill No. 943.]

AN ACT

To authorize the council of Mineral Ridge, in Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Mineral Ridge, Trumbull county, Ohio, be and they are hereby authorized to transfer the sum of one hundred and ninety dollars (\$190) from the street fund to the general fund of said village.*

SEC. 2. *This act shall take effect and be in force from and after its passage.*

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 4, 1885.

[Senate Bill No. 461.]

AN ACT

Supplementary to "an act to authorize the commissioners of Muskingum county to build certain bridges therein named," passed and took effect February 24, 1868, (O. L., vol. 65, p. 219), as amended and supplemented April 3, 1876, (O. L., vol. 73, p. 274).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Muskingum county, Ohio, be and they are hereby authorized and empowered to acquire and hold, by purchase, for the purpose of erecting and maintaining the bridge first mentioned in said original act, such lands, above low water mark in the Muskingum river, as may be necessary on which to build, erect and maintain the piers, abutments, superstructure and approaches thereto. And if the said county commissioners and the owner or owners of such land are unable to agree upon the purchase and sale of such*

lands, the said county commissioners are hereby authorized and empowered to appropriate the same; and in case of such appropriation, the same proceedings shall be had which are provided for the appropriation of private property by municipal corporations.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 4, 1885.

[Senate Bill No. 478.]

AN ACT

To provide for fixing the term of office of the police commissioners of the city of Xenia, Greene county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the police commissioners of the city of Xenia, Greene county, be and they are hereby authorized and required, to determine by vote, which one of their number is to serve as police commissioner for said city for the term of three years, which one of their number is to serve as police commissioner for said city for the term of two years, and which one of their number is to serve as police commissioner for said city for the term of one year, from the 6th day of April, A.D. 1885.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 336]

AN ACT

To provide for the construction of Ross avenue in the county of Hamilton.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Hamilton be and they are hereby authorized to levy a tax, for and during the fiscal year next ensuing after the passage of this act, on all taxable property in said county, sufficient to realize ten thousand dollars, the same to be levied and collected in the same manner that all other taxes are now, by law, required to be levied and collected.

SEC. 2. That the proceeds of the tax hereinabove authorized shall be paid into a fund to be known as the "Ross avenue fund," and shall be expended for no other purpose than for the laying out, opening, and constructing of an avenue of that name, beginning at the Reading road in Mill Creek township, in said county of Hamilton, at a point in the north line of section four, running thence west, with the line of the existing county road, and on the line between sections four and ten on the south, and five and eleven on the north,

to the Carthage pike in said Mill Creek township. Said avenue shall be constructed, and said fund expended, for that purpose under the direction of the commissioners of said county of Hamilton, by and with the approval of the board of control.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 868.]

AN ACT

To authorize the commissioners of Brown county to lay out and improve the road leading from Georgetown to Brownstown.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county be and are hereby authorized, as herein-after provided, to lay out and improve the road from Georgetown to Brownstown, in said county, by straightening, grading, graveling and macadamizing the same, beginning in the Georgetown and Ripley free turnpike, and ending at the free turnpike at Brownstown.

SEC. 2. Upon the presentation of a petition, signed by five or more freeholders, whose lands will be assessed to pay their portion of the costs and expenses of said improvement, asking for the same, said commissioners shall appoint three disinterested freeholders of said county as viewers, and a competent surveyor or engineer, to proceed to examine, view, lay out, and straighten said road as in their opinion public convenience and utility require.

SEC. 3. The auditor of said county shall notify the viewers and surveyor of the time and place of their meeting to make the view, and shall also give notice by publication in a weekly newspaper, published in said county, for three consecutive weeks prior to said meeting, which notice shall state the time and place of meeting, the kind of improvement asked for, and the place of beginning and termination.

SEC. 4. The viewers and surveyor or engineer shall meet at the time and place appointed by said commissioners, and after taking an oath faithfully and impartially to discharge the duties of their appointment, shall take to their assistance two suitable persons as chain carriers, and one marker, and shall proceed to view, examine, lay out and straighten said road, as in their opinion public utility and convenience require, and shall determine and assess the compensation to be allowed, and the damages sustained by any person through whose premises said road is proposed to be laid out, straightened and improved, or whose property is appropriated for that purpose, but said viewers shall not be required to assess damages or compensation in favor of any person, except minors, idiots or lunatics, in consequence of the appropriation of any private property for the making of said improvement, unless the owner file a written application with said viewers, giving a description of the premises on which compensation and damages are claimed by him. All applications for compensation and damages shall be barred, unless they be presented as above required.

SEC. 5. Any person feeling aggrieved by the assessment of damages and compensation, as provided in section four of this act, may, within thirty days

after said improvement is ordered, appeal to the probate court of said county, where the same shall be tried by jury, and the same proceedings had, and like orders and judgments rendered, as are provided by law for the appropriation of private property for public uses in other cases, and the guardian of any minor, idiot or insane person may act for his ward, and his acts shall be binding upon such ward.

SEC. 6. Said viewers and surveyor or engineer shall make report to said commissioners, showing the public utility and convenience of said contemplated improvement, the damages and compensation claimed, and by whom, the amount assessed to each claimant, an estimate of the expense of said improvement, and the lots and lands which will be benefited thereby, and which lie within one mile of said improvement, and the distance of one mile shall be computed in any direction from either side or terminus of said improvement.

SEC. 7. When said report is filed, said commissioners shall, if in their opinion public utility or convenience require it, enter an order on their records that said improvement be made, which order shall designate the kind and character of the improvement to be made, and the lands and lots which shall be assessed for the expense thereof, but such order shall not be made until a majority of the resident land and lot holders, of said county, whose lands and lots are reported as benefited by said improvement, and ought to be assessed, subscribe a petition, asking for said improvement to be made. In determining such majority, minor heirs shall not be counted for or against said improvement, unless represented by a legal guardian, and the action of such guardian shall be binding upon such minor heirs.

SEC. 8. If at any time after making such order, said commissioners find that there has been an omission of lands or lots within the territory sought to be assessed, or that there has been manifest injustice in the apportionment of assessments, they may make such additions and corrections as they deem just and proper.

SEC. 9. After making the order for said improvement, said commissioners shall appoint a competent engineer to superintend the performance and completion of the work, who shall, with the approval of said commissioners, make a contract for the performance of the work, under the superintendence of the engineer, but the improvement shall be let by sealed bids, or at public outcry, and to the lowest and best bidder, who shall give security for the performance of his contract, within the time and in the manner prescribed by said commissioners.

SEC. 10. When said improvement is ordered, said commissioners shall immediately appoint three disinterested freeholders of said county, who shall, upon actual view of the premises, apportion twenty-five per cent. of the estimated expense thereof, upon the real property embraced in said order, according to the benefit to be derived therefrom, and shall make report of said apportionment to said commissioners, who shall, unless the same is set aside, upon exceptions filed thereto, approve and confirm said report. Said auditor shall, annually, place upon the tax duplicate of said county such portion of said assessments, as said commissioners may order, and shall place said duplicate in the hands of the treasurer of said county, who shall proceed to collect said assessments in the same manner as other taxes and assessments, and shall have the same remedies for their collection, as is provided by law for the collection of other taxes and assessments.

SEC. 11. To pay the remainder of the costs and expenses of said improvement, said commissioners shall levy an additional tax on all the taxable property of said county, not exceeding one mill on the dollar in any one year.

SEC. 12. Said commissioners may, in anticipation of the collection of said assessments and taxes, issue the bonds of said county, bearing interest at a rate **not** exceeding six per cent. per annum, payable semi-annually, which bonds **shall** not be sold at less than their par value, and the time of their payment **shall** not extend beyond ten years.

SEC. 13. The duties of the commissioners, auditor and treasurer of said county, and of all other persons or boards appointed under this act, except as herein provided, shall be the same as are required of such officers, persons or boards, by the provisions of title VII, chapter 8, of the Revised Statutes of Ohio, known as "two-mile assessment pikes," and the acts amendatory of and supplementary thereto, and shall receive the same compensation as is thereby provided for like services, and all the provisions of said chapter, and said amendatory and supplementary acts shall be applicable to this act, except as herein to the contrary provided.

SEC. 14. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 9, 1885.

[House Bill No. 919]

AN ACT

To authorize the board of education of the city of Akron, in the county of Summit, and state of Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education in the city of Akron, county of Summit, be and it is authorized to borrow the sum of fifty thousand dollars, to be applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city and in purchasing sites therefor.

SEC. 2. That for the purpose aforesaid, the said board is authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars and not more than one thousand dollars, bearing interest at the rate of not exceeding six per centum, payable semi-annually; said bonds to be payable at such time or times, not exceeding sixteen years from the respective dates thereof, as said board may determine, which said bonds shall not be sold for less than their par value, which said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy on all the taxable property of the said school district, a tax for such an amount, annually, not exceeding the maximum authorized by the general laws, as will be sufficient to pay the principal of the debt evidenced by said bonds that shall fall due each year, and also the interest falling due semi-annually on the bonds so issued, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said school district.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 9, 1885.

[House Bill No. 1076.]

AN ACT

To authorize the village of Washington C. H., Fayette county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Washington C. H., Fayette county, Ohio, be and is hereby authorized and empowered to issue the bonds of said village in any sum not exceeding five thousand dollars, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually, and to be of such denomination as said council may direct, not less than fifty dollars each, which bonds shall be made payable at such times as said council may determine, not exceeding six years from the date thereof; said bonds shall not be sold for less than their par value, and the money arising from the sale of the same shall be used in paying off the floating indebtedness of said village,*

SEC. 2. Said council shall have power to levy a tax on the taxable property of said village, in addition to the rate now authorized by law, to pay said bonds and the interest thereon.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 942.]

AN ACT

To authorize the council of the incorporated village of Bowling Green, Wood county, Ohio, to take for street purposes a strip of land off from the south side of the burying ground, known as the "old cemetery," in said village, and to remove certain bodies buried therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Bowling Green, Wood county, Ohio, be and hereby is authorized and empowered to appropriate for street purposes, a strip of land not to exceed twenty-five feet off the burial ground situate on Ridge street in said village, and known as the "old cemetery," and to remove the remains of those buried in the strip of land so appropriated; provided, that the remains to be removed as aforesaid, shall be provided with suitable burying places in the new cemetery of said village, places therefor to be selected and indicated by surviving friends as far as practical, and in other cases by the cemetery trustees of said village, and all tombstones and other evidences of identity shall be removed with said remains and reerected at the places of re-burial. A record of all unmarked remains removed shall be kept by the board of cemetery trustees, together with such evidence of identity as may be accessible.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 944.]

AN ACT

To authorize the trustees of the township of Mecca, Trumbull county, Ohio, to transfer certain funds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Mecca township, Trumbull county, Ohio, be and they are hereby authorized to transfer the sum of one hundred and sixty-seven and twenty-one hundredths (\$167.21) dollars from the town hall fund to the general fund of said township.*

SEC. 2. This act shall take effect and be in full force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 947.]

AN ACT

To authorize the county commissioners of Fayette county, Ohio, to issue the bonds of said county for the purpose of building a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Fayette county, Ohio, [be] and they are hereby authorized to issue the bonds of said county, in sums of not less than \$100 nor more than \$1,000, and bearing interest not to exceed six per cent. per annum, and payable at such times, not beyond five years from their date, as to said commissioners may seem proper, and to dispose of the same, as provided by law, at not less than their par value, and in such amounts as they may deem necessary (not exceeding fifteen thousand dollars), to erect a "children's home" in said county of Fayette.*

SEC. 2. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 967.]

AN ACT

To authorize the board of education of Cranberry township, Crawford county, Ohio, to borrow money for school purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Cranberry township, Crawford county, be and they are hereby authorized to borrow money, not to exceed six hundred dollars, for school purposes, and the board of education of said township of Cranberry is hereby*

authorized to issue bonds of said township for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than par value, and said bonds shall mature in one year.

SEC. 2. Said board of education shall levy such tax upon the taxable property of said Cranberry township as will provide a fund to pay the principal and interest of said indebtedness.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 1023.]

AN ACT

To authorize the village council of the incorporated village of Miamisburg, Montgomery county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Miamisburg, Montgomery county, Ohio, be and the same is hereby authorized to purchase ground, build an engine and station house, and purchase a fire engine and fire apparatus, and build cisterns in and for said village, and to raise money for that purpose not exceeding ten thousand dollars (\$10,000) in the manner hereinafter provided.

SEC. 2. The council of said village is hereby authorized to issue and sell bonds not exceeding in amount the sum of ten thousand dollars (\$10,000) which may be used in payment of grounds, material, work and labor to be performed in the building of said engine and station house and cisterns, and to purchase a fire engine and fire apparatus for the use of said village, and said bonds shall not be sold for less than the par value thereof, and the proceeds of such sale shall be applied to said purpose.

SEC. 3. Said bonds as aforesaid authorized to be issued and sold, shall be signed by the mayor of said incorporated village, and countersigned and registered by the clerk of said village, and may be issued in denominations of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), bearing interest at the rate of six (6) per cent. per annum, payable semi-annually. Said bonds shall mature at such time as the council shall determine.

SEC. 4. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 5. Before the council of said village shall have the right to issue said bonds the question of issuing the same shall be submitted to the qualified electors of said incorporated village at a regular or special election called by said council of said village, of which at least ten (10) days' notice shall be given

by publication in any newspaper published within the limits of said village, of the time and place of holding such election, and if a majority of the electors voting at said election on said question, shall vote in favor of the same, then and not otherwise, shall the council of said village be authorized to issue said bonds as hereinbefore provided. Those voting in favor of the proposition shall have written or printed on their ballots, "For the issue of bonds—Yes;" and those voting against the proposition shall have written or printed on their ballots, "For the issue of bonds—No."

SEC. 6. Said election shall, in all respects, not otherwise herein provided, be held the same as municipal elections are now required by law to be held in said incorporated village.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 1064.]

AN ACT

Authorizing the commissioners of Noble county, Ohio, to sell one acre of land belonging to the infirmary farm for church purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Noble county, Ohio, be and they are hereby authorized and empowered to sell to the Methodist Protestant church, one acre of land off the infirmary farm of said Noble county, being a part of said infirmary land now occupied by, and attached to, the children's home; such land so sold to be used exclusively for a site for such church.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 9, 1885.

[House Bill No. 579.]

AN ACT

To pension the wife and minor children of Jesse P. Brush, a private in Company A, 17th Regiment O. N. G., who died of gunshot wounds, September 21st, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be paid to Mary L. Brush, widow of Jesse P. Brush, late a private of company A, 17th regiment, O. N. G., who died of gunshot wounds received while in the discharge of his duty, acting under orders from the governor, the sum of one hundred dollars (\$100), for funeral expenses of said soldier, and an allowance of eight dollars (\$8.00) per month during her natural life, if she remain the widow of the said Jesse P. Brush, and the further sum of two dollars (\$2.00) per month for each of the children of the said Jesse P. and Mary L.

Brush, until they shall have arrived at the age of sixteen years, to be paid quarterly on the 15th day of February, May, August and November, of each year. The allowance herein provided shall date from the 5th day of September, A.D. 1884, when the wound that resulted in his death was received.

SEC. 2. There is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of four hundred and eighty-five dollars (\$485.00), or so much thereof as may be necessary to carry out the provisions of this act for the year ending February 15, 1886.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[House Bill No. 610.]

AN ACT

To authorize the trustees of Middlebury township, Summit county, Ohio, to levy a tax and build a vault in Middlebury cemetery, near the original town of Middlebury.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Middlebury township, Summit county, Ohio, are hereby authorized and empowered to levy a tax on an all taxable property of said township, not to exceed in the aggregate twenty-five hundred dollars, for the purpose of building and erecting a vault on the Middlebury cemetery grounds in said township, near Akron, Ohio.

SEC. 2. Before proceeding to levy said tax and build said vault, the question shall be submitted to the qualified electors of said township at any regular election succeeding the passage of this act; at least ten days' notice of the submission of said question shall be given by notice posted at three public places in said township; said notice shall be signed by the clerk of said township. Those who are in favor of erecting said vault and levying said tax, shall have written or printed on their ballots the words "Cemetery Vault—Yes;" those opposed the words "Cemetery Vault—No." If a majority of all the voters, voting at said election shall vote "Cemetery Vault—Yes," it shall be the duty of said trustees to erect said vault and levy the tax as hereinbefore provided.

SEC. 3. The tax levied by said trustees under the authority of this act, shall be returned to the auditor of said county, and placed on the duplicate of said township, and collected as other taxes; and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purpose aforesaid on the order of said trustees.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate..

Passed April 11, 1885.

[House Bill No. 702.]

AN ACT

For the relief of H. Wm. Mersmann, former treasurer of Jackson township, Auglaize county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Jackson township, Auglaize county, Ohio, and board of education of school district No. 2, in said township, are hereby authorized to release H. Wm. Mersmann and his official securities in their official bonds, as treasurer of said township, from the payment of the sum of five hundred dollars belonging to the township funds of said township and school house; provided, that the said trustees shall submit said proposition to release, upon ten days' notice being given, to the qualified electors of said township at a general election, and a majority of said electors at such election shall declare in favor of such release.*

SEC. 2. *The form of the ballot shall be the following: "For release—Yes;" "For release—No." And the trustees shall provide a separate ballot-box for such ballots, and make due return of the result of said election to the auditor of said county.

SEC. 3. This act shall take effect on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[House Bill No. 934.]

AN ACT

To authorize the council of the village of Ravenna, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Ravenna, Ohio, be and is hereby authorized to transfer the sum of seventeen hundred and fifty dollars (\$1,750) from the street and sanitary fund as follows: Five hundred dollars (\$500) to the police fund, and twelve hundred and fifty dollars (\$1,250) to the general corporation fund of said village.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[House Bill No. 961.]

AN ACT

To authorize the commissioners of Belmont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Belmont county, Ohio, are hereby authorized to construct the following free turnpike road: Commencing at the intersection of Arch and Main streets, in the village of Barnesville, in said county, and thence [on] an easterly course by the most practicable route to the children's home, and in locating such road, said commissioners may locate the same upon the road or any part of any state or county road heretofore laid out and established, and to widen, alter, change, or vacate the same, or any part thereof, and shall have power to lay out, locate, and survey such turnpike through any improved or unimproved lands; and are hereby authorized, for that purpose, to adjust matters of compensation and damage with land-owners, when it can be done without sacrificing the interests of the county, otherwise to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty nor less than forty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of one half of one mill on the dollar on the tax duplicate said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said improvement, a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 4. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, annually, on all property in said county, in addition to taxes now authorized by law.

SEC. 5. That a majority of said board of commissioners shall be necessary, at any regular session, to agree upon specifications and order said improvement, or any part thereof.

SEC. 6. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[House Bill No. 973.]

AN ACT

To authorize the trustees of Goshen township, Tuscarawas county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Goshen township, Tuscarawas county, Ohio, be and the same

are hereby authorized to transfer six hundred dollars (\$600) from the bridge fund to the road fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 11, 1885.

[House Bill No. 1027.]

AN ACT

To empower the board of education of the Union school district of Alliance, Stark county, Ohio, to compromise with and release the sureties upon the official bond of Cyrus K. Greiner, formerly treasurer of said board.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Union school district of Alliance, Ohio, be and is hereby authorized and empowered to receive from William M. Reed, Amos W. Coates, Levi L. Lamborn or Michael Wheeler, as sureties upon the official bond of Cyrus K. Greiner, formerly treasurer of said board, the one-quarter in amount of the judgment, interest and costs of the judgment recovered by said board of education against said persons, by the consideration of the court of common pleas of Stark county, Ohio, at its fall term, 1878. And upon such payment by any one or more of said persons, the said board of education is hereby empowered to release and discharge the person so paying, from any further liability to it on said judgment, but such release shall not affect the liability of such of said persons as do not pay such one quarter.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 495.]

AN ACT

To authorize the board of education of the village of Chagrin Falls school district, Cuyahoga county, Ohio, to issue bonds for school purposes, and to make an additional levy for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Chagrin Falls school district is hereby authorized to issue the bonds of said village school district, not exceeding in the aggregate the sum of ten thousand dollars, payable in one, two, three, four, five and six years, with interest not exceeding six per cent. per annum, the proceeds arising from the sale of said bonds to be used exclusively for erecting a school-house, and for furnishing the same, upon a site now owned by said school district; and for the purpose of paying the principal on said bonds as they mature, and the interest thereon, said board is further hereby authorized to levy for the next six years from and including the year 1885, on each dollar of valuation of taxable property within said village school district, and other

territory attached to said district for school purposes, not exceeding five (5) mills per year in addition to that now allowed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 410.]

AN ACT

To authorize the village of Loveland, in Clermont, Hamilton and Warren counties to issue bonds for the use of its fire department.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of purchasing a fire engine and apparatus, the council of the village of Loveland, in Clermont, Hamilton and Warren counties, Ohio, is hereby authorized and empowered to issue bonds of said village, of such denominations not exceeding one thousand dollars (\$1.000) in the aggregate, and for such times not exceeding three years from date, as the council may determine. Said bonds shall bear a rate of interest not exceeding six (6) per centum per annum, payable semi-annually, and shall be signed by the mayor and clerk, and shall be sold according to law.

SEC. 2. Said village council shall cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereon, as the same shall become due, in the manner provided by law for levying taxes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 421.]

AN ACT

To authorize the trustees of Pee Pee township, Pike county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pee Pee township, Pike county, Ohio, be and they are hereby authorized to transfer the sum of five hundred dollars (\$500) from the veteran bounty fund to the township road fund, and six hundred and ninety-nine and four one-hundredths dollars (\$699.04) from the veteran bounty fund to the township fund of said township.

SEC. 2. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 420.]

AN ACT

To authorize the trustees of Bedford township, Cuyahoga county, to levy a tax for and to erect a soldiers' monument in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Bedford township, Cuyahoga county, are hereby authorized to levy a tax on all the taxable property of said township, in the sum of two thousand dollars, for the erection of a soldiers' monument in said township.

SEC. 2. Said monument shall be erected under the direction of said trustees, and the expenditure for it, out of money raised by taxation, shall not exceed the sum of two thousand dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[Senate Bill No. 419.]

AN ACT

For the relief of the official sureties of Martin O. Van Fleet.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the official sureties on the bond of Martin O. Van Fleet, as county treasurer of Huron county, Ohio, who in the year A. D. 1884, became a defaulter in said office, be and the said sureties are each and every one hereby released and discharged from all further obligation and liability, as such sureties, for the payment of the one-third sum of said defalcation still remaining due from and unpaid by them to said county.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 1001.]

AN ACT

To authorize the trustees of original surveyed township number eleven, range twenty-one, Madison township, Franklin county, Ohio, to build and complete a levee on the bank of Black Lick Creek, and to pay for the same out of the rental of section sixteen in said original surveyed township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of original surveyed township number eleven, range twenty-one, Madison township, Franklin county, Ohio, be and they are hereby authorized

and empowered to build and complete a levee on the bank of Black Lick Creek in said township, according to the plan and profile thereof, and to defray the expenses thereof from the rental of the lands of school section number sixteen, in said township, as well also the expenses heretofore incurred by them in and about the building and construction of the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 988.]

AN ACT

To reimburse James H. Gates, J. H. Ward, J. A. Conrey, James Cruse, N. S. Dilano and S. L. Garrett, former members of the school board of Washington township, Clermont county, Ohio.

WHEREAS, The said James H. Gates, J. H. Ward, J. A. Conrey, James Cruse, N. S. Dilano and S. L. Garrett, as members of the school board of Washington township, were wrongfully sued in the circuit court of the United States, and compelled to pay in the way of lawyer fees, costs and expenses, the sum of four hundred and seventy-five dollars; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of said Washington township are hereby authorized and required to submit at the regular October election of 1885, after ten days' notice thereof given by notices posted up in at least six conspicuous places in said township, to the qualified electors thereof, the question of reimbursing said James H. Gates, J. H. Ward, J. A. Conrey, James Cruse, N. S. Dilano and S. L. Garrett; and on an affirmative vote of a majority of those voting at said election on said question, the township trustees of said Washington township shall, at their next regular meeting thereafter, levy a tax on all the taxable property of said Washington township, in addition to the taxes now authorized by law, to reimburse said J. H. Gates, J. H. Ward, J. A. Conrey, James Cruse, N. S. Dilano and S. L. Garrett for the amount of four hundred and seventy-five dollars so expended by them as aforesaid, and interest on the same from the date of expenditure.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 968.]

AN ACT

To change the name of Wellington Frazee.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Wellington Frazee, who is now a resident of the county of Crawford, state of Ohio, be and the same is hereby changed to Wellington Hageman.*

SEC. 2. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 957.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road :*

Beginning at the village of Felicity, in Clermont county ; thence on the line of road known as the Felicity and Cedron road, to Cedron ; thence from the Brown county line, near the residence of William Myers, on the north side of Bullskin creek ; thence down said creek to the bridge, crossing said bridge ; thence down said creek on the most practicable route intersecting the Felicity and Utopia pike, near Rural school-house ; also a road beginning at the corporation line on the east side of the village of Felicity, and running along the line of the county road, as near as practicable past the lands of John Kinney, Mary McGraw, William Miller, deceased, James Crosswell, Frank Crosswell and Wm. Crosswell, to the Brown county line, on the farm of John C. Miller ; and in locating such roads, said commissioners may locate the same upon the road or any part of any county or township road heretofore laid out and established, and to widen, alter, change, or vacate the same, or any part thereof, and shall have power to lay out, locate, and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and payment of compensation therefor ; said road to be opened not more than sixty nor less than thirty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road ; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, payable annually, and shall not be sold for less than their par value ; provided, further, that said bonds may extend to such time as they can be met at a levy of one-half of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said

improvement, a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid the construction of the same.

SEC. 4. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, not exceeding one-half of one mill on the dollar, annually, on all property in said county, in addition to taxes now authorized by law.

SEC. 5. That a majority of said board of commissioners shall be necessary, at any regular session, to agree upon specifications and order said improvement, or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 939.]

AN ACT

To authorize "The Norwalk Cemetery Association" to purchase additional lands and to extend its cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That "The Norwalk Cemetery Association" of Norwalk, Huron county, Ohio, be and it is hereby authorized to make additions to its cemetery grounds, and to purchase and hold lands to the extent of, and not exceeding one hundred and thirty acres, including its present cemetery grounds in Norwalk township, for cemetery purposes, under the exemptions provided for in section three thousand five hundred and seventy-one (3571) of the Revised Statutes of Ohio; providing said association pay for said additional grounds from funds now on hand belonging to said association.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 937].

AN ACT

To authorize the commissioners of Van Wert county to levy an additional tax for current purposes, and to reduce certain other general county levies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Van Wert county, Ohio, be and are hereby authorized, in the years 1885 and 1886, to levy a tax on all the taxable property of said county for general county purposes, an amount not exceeding nine-tenths of one mill each year, in addition to the amount now authorized to be levied for said purposes, to meet a deficiency now existing in said funds, the same to be entered upon the grand duplicate of said county and collected in the same manner as*

other taxes are collected; provided, that during said years, said board of commissioners shall reduce other county levies to correspond with this increase, so as not to increase the general taxation in said county, but the levies for those years shall not in the aggregate exceed the amounts now fixed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 866.]

AN ACT

To divide Center township, Columbiana county into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Center township, Columbiana county, Ohio, be divided into two election precincts, and said two election precincts shall be known as the north and south precincts of said township, and shall be divided by the following line, to-wit: Beginning where the Elkton and New Lisbon roads cross the east line of said township, thence west with said road to Walnut street in the village of New Lisbon, thence west with said Walnut street to the east end of Canton bridge, thence east with the Canton road to where it intersects with the Hanover road on the lands of Jacob Springer, thence west with the Hanover road to the west line of said Center township.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 804.]

AN ACT

To authorize the commissioners of Hardin county, Ohio, to levy an additional tax for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hardin county, Ohio, be and they are hereby authorized to levy a tax upon all the taxable property of said county, of one-half mill, for county purposes for the years of 1885, 1886 and 1887; said levies to be in addition to what said commissioners are now by law authorized to levy.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 1067.]

AN ACT

To authorize the commissioners of Licking county to pay a claim of the late
L. A. Stevens.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Licking county be and are hereby authorized to pay to Sarah A. Stevens, widow of the late L. A. Stevens, a sum not exceeding seventy-two dollars from the general county fund, as they may deem just and equitable, for money advanced to pay a night-watchman during his term of service as county treasurer.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 16, 1885.

[House Bill No. 722.]

AN ACT

To provide for the restoration of certain records of the county surveyor's office in
Hamilton county, destroyed by the burning of the court-house of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county surveyor of Hamilton county shall proceed as rapidly as possible to restore as completely as can be done, the field notes, and plats of all surveys and all other records which by law are required to be kept at his office, for which service he shall receive not to exceed \$15.00 for each such survey, including plat, field notes, and necessary record; the expenses incurred under the foregoing provisions shall be paid out of the county fund, upon the warrant of the auditor when approved by the county commissioners; the county commissioners shall furnish all necessary books and stationery.

SEC. 2. The field notes, plats, and records, restored under the provisions of this act, shall be given the same faith and credit as was by law required to be given to the originals, and for all purposes they shall be deemed originals.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 880.]

AN ACT

To authorize the commissioners of Logan county to levy an additional tax for general county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Logan county, in said state, be and they are hereby authorized in the years 1885, 1886, 1887, 1888 and 1889, to levy a tax on all the taxable property of said county to an amount not exceeding one mill each year, in addition to the amount now authorized to be levied for general county purposes, the same to be entered upon the grand duplicate of said county, and collected in the same manner as other taxes are collected.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 989.]

AN ACT

To authorize the board of education of the township of Hanover, in Ashland county, Ohio, to purchase a site and build a school-house thereon in sub-district No. seven in said township, and to issue bonds and levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Hanover township, in Ashland county, Ohio, are hereby authorized and empowered to purchase, not to exceed one and one-half acres of land in sub-district number seven, in said township of Hanover, in Ashland county, Ohio, and to build and furnish a school-house thereon, to be used for school purposes, at a cost not to exceed the sum of twelve hundred dollars in all.*

SEC. 2. That the board of education of said township, for the purpose of building and paying for said land and school-house, are hereby authorized to borrow, not to exceed the sum of twelve hundred dollars, at a rate of interest not to exceed six per cent., per annum, and to issue the bonds of said township school district to secure the payment of the principal and interest thereon. The principal of said bonds shall be paid at such times as the said board of education may prescribe, within five years from the date of such indebtedness, said bonds to be sold at not less than their par value.

SEC. 3. That the bonds so issued shall be signed by the clerk and township treasurer of said township, by order, in writing made of record upon the records of said board, a copy of which shall first be filed with the clerk of said township, in sums of not less than fifty dollars nor more than one hundred dollars each, payable to the bearer with interest as aforesaid, at such times, not exceeding five years after their date, as the board of education may prescribe, and said bonds shall prescribe the object for which they were issued, and the said board of education shall, and they are hereby authorized, annually, at their regular spring session, to levy such amount of taxes as will pay the interest on

said indebtedness and at least one-fifth of the principal, as they in their judgment may deem proper.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 975.]

AN ACT

To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to levy a tax on said township and issue bonds to pay for a deficiency in the funds of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Olmsted township, Cuyahoga county, Ohio, be and are hereby authorized to issue bonds of said Olmsted township in any sum not exceeding in the aggregate twelve hundred dollars, payable at any time within five years, and bearing a rate of interest not exceeding six per cent, per annum, interest payable annually, for the purpose of meeting and providing for a deficiency in the funds of said township, arising from insufficient levies for township and poor purposes. Said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township and be attested by the clerk of said township.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon, as they mature, the said trustees are hereby authorized to levy a tax, not exceeding one mill on the dollar in any one year, on all of the taxable property in said township, in addition to the taxes now authorized by law, to meet said indebtedness.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 1009.]

AN ACT

To authorize the commissioners of Hancock county, Ohio, to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Hancock county, Ohio, are hereby authorized to erect a court house in said county, at a cost not to exceed one hundred thousand dollars.

SEC. 2. Said county commissioners, before entering into any contract in respect to the erection of said court house, shall cause plans and specifications, detailed drawings and forms to be prepared, and keep the same at some public and convenient place for inspection.

SEC. 3. All contracts shall be made in writing in the name of said county commissioners, and shall be by them signed, and the same shall be attested by the county auditor of said county. Alterations and modifications of any contract shall be made by order of the said board of county commissioners, and such order shall be of no effect until the price to be paid for the work or material under such altered or modified contract, has been agreed upon in writing and signed by the contractor and said commissioners; and no contractor shall be allowed to recover anything for extra work or material, caused by any alteration or modification, unless an order is made, and agreement signed as aforesaid, nor shall any contractor in any case be allowed or recover more for any such work or materials than said agreed price.

SEC. 4. Said board shall not enter into any contract for the erection of said court house, without first causing thirty days' notice to be given in three newspapers of general circulation in said county, that sealed proposals will be received for doing the work or furnishing the material.

SEC. 5. All bids for such work shall be enclosed in a sealed envelope, deposited with the county auditor, and shall have endorsed thereon the nature of the same, and all bids shall be opened by said county commissioners at the time and place as stated in such notice.

SEC. 6. Said commissioners shall contract with the lowest and best bidder, upon bond being given to the state of Ohio, for the use of Hancock county, with such sureties as the commissioners shall approve, that the work shall be performed in accordance with the contract; provided, that the work may be let in whole or in part, and the commissioners may reject any or all bids.

SEC. 7. To create a fund to defray the expenses to be incurred under this act, the said county commissioners of said county, may borrow such sum or sums of money from time to time as may be necessary to carry on such work, not exceeding in all, the sum of one hundred thousand dollars, at a rate of interest not greater than 6 per cent. per annum, and issue the bonds of the county to secure the payment of the principal and interest thereof; such interest shall be paid semi-annually after the date of issue, at the treasury of said county or in the city of New York, at the discretion of the said commissioners; and the principal of said bonds shall be payable at such times and places as the said commissioners shall prescribe within, not exceeding twenty (20) years, nor less than ten (10) years from the date thereof; said bonds shall not be sold for less than their par value, and the first payment of interest shall be for such portion of the six months as may have elapsed between the date of its issue and the time specified in them for the payment of interest thereafter.

SEC. 8. The bonds so issued shall be signed by the said commissioners, or any two of them, and countersigned by the county auditor. They shall be issued in sums of not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars each, they shall have interest coupons attached, and shall be numbered by several numbers, and shall be registered in the office of the county auditor.

SEC. 9. The said county commissioners shall, annually, at their June session, levy such amount of tax as will pay the interest on said bonds, and after New Years from the date of said bonds, shall in like manner levy such further sum, annually, as may be necessary to pay said bonds as they respectively become due.

SEC. 10. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill] No. 989.]

AN ACT

To authorize the board of education of New Carlisle school district, Clarke county, Ohio, to issue bonds to purchase site and erect and furnish school-house, or houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of New Carlisle, Clarke county, Ohio, be and it is hereby authorized and empowered to issue bonds, in the aggregate not exceeding twenty thousand dollars, running any number of years not exceeding twenty, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be issued, advertised and sold according to law; but shall not be sold for less than their par value.

SEC. 2. The proceeds of said bonds, or so much thereof as may be necessary, shall be applied by said board for the purchase of a site or sites, if the board should deem the same necessary, and for the erection of a school-house or houses in said district, furnishing the same, and improvement of the grounds, and for no other purpose or purposes whatever.

SEC. 3. The board of education of said school district shall levy, annually, a tax on all taxable property of said school district, in addition to what it is now by law authorized to levy, sufficient to pay the semi-annual interest thereon and the principal of said bonds as fast as they fall due.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1886.

[House Bill No. 1025].

AN ACT

To transfer certain funds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Vinton county, Ohio, be and they are hereby authorized to make permanent the temporary transfer of the sum of eight thousand eight hundred dollars (\$8,800) from the building to the county fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN W. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 1075.]

AN ACT

To authorize the council of the incorporated village of Logan, Hocking county, Ohio, to issue bonds for the payment of the outstanding indebtedness of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Logan, Hocking county, is hereby authorized to issue bonds not exceeding in amount the sum of five thousand dollars, for the purpose of paying debts, accrued by lighting the streets of said village with gas, purchasing real estate, paying present outstanding bonds for steam fire engine, and other outstanding indebtedness. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and issued in denominations not less than fifty dollars, nor more than five hundred dollars. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable annually, and shall not be sold for less than par value, in the manner provided by law. For the payment of the principal and interest of said bonds, as the same shall become due, the council of said village is hereby required to levy a tax on all taxable property in said village in such assessments as will, each year, meet the principal and interest then falling due upon the said bonds.*

SEC. 2. *This act shall take effect and be in force from and after its passage.*

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[House Bill No. 1107.]

AN ACT

To authorize the board of education of Cardington Union school district, Morrow county, Ohio, to levy a special tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the village of Cardington, Morrow county, Ohio, be and is hereby authorized to levy a special tax for the years 1885, 1886 and 1887, or either of said years, not exceeding three mills each year, on the dollar on the taxable property of said village, and the territory thereto annexed, for school purposes, to liquidate a debt on school-house in said village.*

SEC. 2. *This act shall take effect and be in force from and after its passage.*

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 17, 1885.

[Senate Bill No. 493.]

AN ACT

To authorize the trustees of Springfield township, Ross county, to levy an additional tax to pay an existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Springfield township, Ross county, be and they are hereby authorized to levy a tax of two and one-half mills for the year 1885, on all the taxable property in said township, in addition to the taxes allowed by law.*

SEC. 2. This act shall take effect on its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 446.]

AN ACT

To amend section one of an act entitled "an act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet, commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor," passed April 2, 1880, (vol. 77, p. 368), as amended February 4, 1881, (vol. 78, p. 316), and to amend section two of said original act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section one of an act entitled "an act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor," passed April 2, 1880, as amended February 4, 1881, be amended so as to read as follows:*

Section 1. That the county commissioners of Cuyahoga county be and they are hereby authorized to levy a tax upon all the taxable property of said county, not exceeding five-tenths of one mill on the dollar of the valuation of said property, in addition to any tax heretofore levied under said act, not more than one-fifth of which shall be levied and collected annually for the purpose of erecting a suitable structure commemorative of the services, patriotism and valor of the soldiers and sailors of the union army and navy in the war of the rebellion, who enlisted from Cuyahoga county and either were killed, died of wounds or of disease contracted in said service, or subsequently died residents of said county, and to purchase a suitable site therefor, and the funds heretofore collected under said act shall be applied, together with that raised under and pursuant to this act, to the purpose aforesaid.

SEC. 2. That section two of said act, passed April 2, 1880, be amended so as to read as follows:

Section 2. All plans and specifications for said structure, and the site therefor, together with all contracts for the construction of the same, shall be submitted to and approved by the commissioners of said county, as well as by the committee on monument of soldiers and sailors of said county, and the building of said structure shall be supervised by, and the bills of expense for the same paid upon vouchers approved by said commissioners. Provided, however, that the entire cost and expense of such structure, including the site

therefor, shall not exceed the levy heretofore made when increased by the levy authorized by this act.

SEC. 3. Said original section two and said original section one, as amended **February 4, 1881, are hereby repealed.**

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 440.]

AN ACT

To authorize the agricultural society of Putnam county, Ohio, to erect permanent buildings on the fair grounds, in said county, and to provide for the payment of the indebtedness thereby incurred.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the agricultural society of Putnam county, Ohio, be and is hereby authorized and empowered to erect permanent buildings on the fair grounds, in said county, at a cost not exceeding five thousand dollars.*

SEC. 2. That for the purpose of paying the indebtedness thereby incurred, the county commissioners of Putnam county, Ohio, be and they are hereby authorized and empowered to issue bonds of said county in such denominations as to them may seem proper, to the amount of five thousand dollars, bearing interest at a rate not greater than six per cent. per annum, payable semi-annually, and payable as follows: One thousand dollars on the first day of September, 1888; two thousand dollars on the first day of September, 1889; two thousand dollars on the first day of September, 1890; and said bonds shall be sold according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 430.]

AN ACT

To authorize the commissioners of Butler county to further improve the fair grounds in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Butler county, Ohio, for the purpose of further improving the fair grounds in said county, be and they are hereby authorized and empowered to lay such piping and to take such other steps as may be necessary to connect said grounds with the water-works of the city of Hamilton.*

SEC. 2. That for the purpose of paying the indebtedness thereby incurred,

said commissioners are hereby authorized and empowered to issue the bonds of said county, in such denominations as to them may seem best, to the amount of twenty-five hundred dollars, bearing interest at a rate not greater than six per cent., and payable, principal and interest, on the first day of September, A. D. 1886; said bonds shall be sold according to law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 424].

AN ACT

To authorize the incorporated village of Alliance, Stark county, to issue bonds for police purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Alliance, Stark county, be and they are hereby authorized to issue the bonds of said village for a sum not exceeding one thousand dollars, in denominations of not less than one hundred nor more than three hundred dollars, payable within three years from the date of their issue, and to bear not to exceed six per cent. interest, payable semi-annually; said bonds shall be signed, issued, and sold according to law.

SEC. 2. For the purpose of paying the principal and interest on said bonds as the same become due and payable, the council are hereby required to levy, annually, on all the taxable property of said village, a sum sufficient to pay the same, in addition to all other taxes authorized by law; and the same shall be collected as other taxes are.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 423].

AN ACT

To authorize and require the commissioners of Portage county to receive and dispose of a bequest.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Portage county are hereby authorized and required to receive a certain bequest of one thousand dollars set forth in the last will and testament of David McIntosh, deceased, in the words following, to-wit: "To the commissioners of Portage county, Ohio, and their successors in office, I give and bequeath one thousand dollars, to be by them permanently and securely

invested so as to produce a yearly interest, and said interest to be expended in procuring the American flag for the several townships of Portage county."

SEC. 2. Said commissioners are hereby authorized to sue the executors of the will of said David McIntosh, deceased, and recover the amount of said bequest provided for in said will, provided the same is not voluntarily paid over to them upon demand being made therefor, and upon such payment being made with or without suit, said commissioners shall receipt for the same, which receipt and payment shall forever indemnify said executors against all claims and demands whatsoever.

SEC. 3. The commissioners of Portage county shall receive said bequest as provided for in section one of this act, and they and their successors in office shall fully and faithfully treat and dispose of said bequest as is provided for and directed in the will of said David McIntosh, deceased.

SEC. 4. This act shall take effect on and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Senate Bill No. 404.]

AN ACT

To authorize the construction of sewers in the city of Defiance, Defiance county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Defiance, Defiance county, be and they are hereby authorized to issue bonds in the sum of ten thousand dollars (\$10,000) for the purpose of constructing sewers in East Defiance (now the fourth ward of said city), and also in Harrison street from Deatrick street to the Maumee river. Said bonds shall be issued in such denominations and shall be payable at such times, within a period of ten years, as the council may determine, and shall bear a rate of interest not exceeding six per cent. per annum. Said bonds shall be sold according to law.

SEC. 2. That for the purpose of paying said bonds and interest thereon, the council is hereby authorized to levy a tax upon all the taxable property of said city of Defiance, in addition to the amount already allowed to be levied by law.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 1079.]

AN ACT

To authorize the council of the village of Elyria, Lorain county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Elyria, Lorain county, Ohio, be and are hereby authorized to transfer from the interest and sinking fund of said village, as follows, to-wit: One thousand dollars to the salary fund, five hundred dollars to the sewer and drain fund, and three hundred dollars to the town hall fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 1037.]

AN ACT

To authorize the board of education of Oberlin union school district, Lorain county, Ohio, to issue bonds for the purpose of erecting a school-house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of Oberlin union school district, in Russia township, Lorain county, Ohio, be and is hereby authorized to issue bonds to an amount not exceeding twenty thousand dollars, and sell the same at not less than their par value, the proceeds thereof to be applied in the purchase of grounds, if necessary, in said district, and the erection thereon of a school-house for the use of said district.

SEC. 2. Said bonds shall be issued at such times and in such sums as said board of education may determine, bearing interest not to exceed six per cent. per annum, payable annually; said bonds shall be payable at such times as said board shall determine, but not later than the year nineteen hundred. Said bonds shall be signed by the president and countersigned by the clerk of said board, and a complete record of each bond so issued shall be kept by the clerk of said board.

SEC. 3. Said board of education shall cause the necessary taxes to be levied upon all the taxable property in said district to pay the interest on said bonds, and to pay the principal thereof, as the same shall become due, in the manner provided by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 972.]

AN ACT

To authorize the commissioners of Tuscarawas county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Tuscarawas county, Ohio for the purpose of meeting and providing for a deficiency in the county funds of said county, are hereby authorized to issue bonds in an amount not exceeding \$15,000. Said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations, from five hundred dollars (\$500) to one thousand dollars (\$1,000) each, and shall be due and payable at such times not exceeding five years, as the commissioners may determine, and said bonds shall be issued and sold according to law.*

SEC. 2. *Said commissioners of Tuscarawas county shall provide for the payment of the interest and redemption of the bonds provided for in section one of this act, and for that purpose they are hereby authorized to levy, annually, a tax not exceeding one-half of one mill on the dollar, on all the taxable property of said county, in addition to the taxes now authorized by law, and said levy shall not extend beyond the period of five years, beginning with the year 1885.*

SEC. 3. *This act shall take effect and be in force from and after its passage.*

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 920.]

AN ACT

To authorize the council of the city of East Liverpool, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the city of East Liverpool, Columbiana county, Ohio, is hereby authorized and empowered to transfer the sum of twenty-one hundred dollars (\$2,100) from the sinking fund to the general fund of said city.*

SEC. 2. *This act shall take effect and be in force from and after its passage.*

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[Substitute for House Bill No. 819.]

AN ACT

Supplementary to an act entitled "an act to authorize and require the commissioners of Holmes county to build a court house and county offices."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Holmes county be and are hereby authorized and empowered to make such alterations in the plans and specifications for the construction of the court house provided for by the act passed February 23, 1884, and now under contract, so as to construct the porticoes of stone, the valleys of*

copper, to do the necessary stucco and fresco work, put in finish and furniture of hard wood, including inside shutters, make the ceilings fire proof, provide plumbing, lighting, tower clock and bell, fire and burglar proof safe, with best improved dynamite proof time lock, do grading and paving of grounds, provide steam heating and ventilation for court house and jail; purchase grounds for boiler house at a cost not exceeding five hundred dollars, and erect the necessary building thereon, and to provide the necessary sewerage and water supply; but in no event shall the time for the completion of said contract be extended.

SEC. 2. That for the purpose of carrying into effect the provisions of section 1 of this act, said commissioners are hereby authorized to issue the bonds of said county sufficient in amount for said purpose, but not to exceed the sum of thirty thousand dollars, in addition to the amount authorized by "an act to authorize and require the commissioners of Holmes county to build a court house and county offices," passed February 23, 1884; said bonds to be payable at such times and issued in such denominations as said commissioners may determine, and shall bear interest at the rate of six per cent., interest payable semi-annually, and shall be sold according to law.

SEC. 3. That for the purpose of paying said bonds and the interest on the same as the same shall fall due, said commissioners are authorized to appropriate the money out of the levy now provided by section 2823 of the Revised Statutes of Ohio, to be made for building county buildings in counties where the taxable property does not exceed eleven million dollars.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 22, 1885.

[House Bill No. 8.]

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for widening and improving a road known as Paddock road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they hereby are authorized and directed to levy a tax of one-tenth of a mill upon the tax duplicate of said county in the year eighteen hundred and eighty-five, and to expend the sums thus raised, in opening, widening and improving on the lines laid out by the commissioners of said county, a certain road known as the Paddock road, which, starting at the Lebanon road, just north of Avondale, extends north to Carthage; provided, that if it shall be ascertained that said Paddock road has not been dedicated for public use, this act shall be null and void.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 23, 1885.

[House Bill No. 1106.]

AN ACT

To authorize the construction of a building for village and township purposes in Cedarville, Greene county, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the village of Cedarville and the trustees of Cedarville township, Greene county, be and they hereby are authorized to construct in said village a building or buildings upon a site selected at the township spring election of 1885, by the voters of said township, known as the Osborn lot in the center of said village, or partly upon said lot and partly upon adjoining land for village and township purposes, upon such terms as to cost, occupancy, use and otherwise, as they may agree upon in writing, and any agreement entered into by them in that behalf shall be entered at large upon their minutes respectively. Said council and trustees, or either of them, may purchase the necessary real estate, additional to said site, for the purpose herein contemplated, to conform to the general plan of the structure agreed upon and adopted.

SEC. 2. Said council is authorized to sell, and through its president, to convey its engine house site, and the mayor's office site, or either of them, in said village and apply the proceeds to the payment of its share of the expenses of the improvement aforesaid, and said trustees are authorized to apply any money or means in their hands or that may be in their hands applicable to the construction of a township house and hall, to the improvement herein authorized.

SEC. 3. That the act entitled an act "to authorize the construction of a building for village and township purposes in Cedarville, Greene county, and for other purposes," passed March 24, 1885, be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 24, 1885.

[House Bill No. 1090.]

AN ACT

To authorize the village council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, to issue bonds for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the incorporated village of Brooklyn, Cuyahoga county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding five thousand five hundred dollars, bearing interest at a rate not exceeding six per centum per annum from the date of issue, payable semi-annually, for the purpose of providing said village with a system of public water-works.

SEC. 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village. Said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said village, best subserve the negotiation and sale thereof.

The principal of said bonds shall be payable at such place and times as the said council may determine by ordinance, within a period not exceeding twelve years; and said council is hereby authorized to levy a special assessment upon the lots and lands bounding or abutting upon the streets and highways wherein water-mains may be laid, by the foot front, or according to the valuation of the same on the tax duplicate, or according to benefits, as the said council may determine, not to exceed the limit allowed by law, to pay one-half of the amount of said bonds and interest, and to levy a tax upon all the taxable property of said village, not to exceed one and three-fourths mills on the dollar in any one year, to pay the other half of the amount of said bonds and interest.

SEC. 3. The funds realized from the sale of said bonds shall be used by the said council for the purpose of erecting, constructing and paying for water-works of said village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 25, 1885.

[House Bill No. 741.]

AN ACT

To authorize and require the trustees of Thorn township, Perry county, to locate and establish a road in Thorn township, Perry county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Thorn township, Perry county, Ohio, be and they are hereby authorized and required to locate and establish a road in Thorn township, Perry county, of a width not to exceed thirty feet; said road shall commence at the south-east corner of the south-west quarter of section twenty-nine (29), at a public road, and shall thence run west on the section line to a public road known as the Lancaster road, at or near Mary Hoover's barn.

SEC. 2. The said trustees are hereby further authorized and directed to levy a tax on all the taxable property of said township, which shall be sufficient to cover and discharge all the costs and expenses incident to, or connected with, the location and establishment of said road, as well as to pay any and all sums that may be adjudged or awarded by way of compensation or damages, or both, to the owners of land along the line of said road.

SEC. 3. The taxes levied by said trustees under the authority of this act, shall be returned to the auditor of said county and placed on the duplicate of said township and collected as other taxes, which, when so collected, shall be paid to the treasurer of said township, and by him disbursed for the purposes aforesaid, on the order of said trustees.

SEC. 4. The proceedings and orders of the said trustees under this act as to the appointment of viewers and surveyor, notices to viewers and owners of land, opportunity to owners to make and have fairly determined their several claims for compensation and damages, and all other matters and record shall conform to the provisions of chapter 3, title 7, of the Revised Statutes relating

to township roads, so far as said provisions shall be applicable under this act and not inconsistent therewith.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 25, 1885.

[House Bill No. 995.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Brown county, Ohio, be and they are hereby authorized to construct a free turnpike road, beginning at the terminus of a proposed free turnpike road in Clermont county, and at the Clermont county line, on the lands of John C. Miller, in Lewis township; thence in a southeasterly direction, as near as practicable, to or near the corner of Miller's old orchard; thence crossing the north fork of Bullskin creek, above the middle fork of same; thence up the north side of same in front of James Metzger's house to the crossing near Thomas Metzger's; thence crossing same and up Dry run through the lands of William Wise to the county road near the lands of Jonas Metzger; thence along said road as near as practicable to the corner of lands of J. C. Wells and William Clark; thence along the line of said Clark and Wells as near as practicable to a point near the corner of lands of said Clark; thence along the most practicable route to intersect the Higginsport and Feesburgh pike near Staton's saw mill.

SEC. 2. That said county commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall bear interest at a rate of not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part of same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized and empowered to levy and assess a tax not to exceed one-half mill on the dollar annually, on all property in the county on the tax duplicate.

SEC. 5. That a majority of said board of commissioners shall, at a regular session, be necessary to agree upon specifications and order said improvement or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 1007.]

AN ACT

To authorize the agricultural society of Lake county to improve their fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the agricultural society of Lake county, Ohio, is hereby authorized to make permanent improvements on the fair grounds in said county, at a cost of four thousand dollars.*

SEC. 2. That for the purpose of paying the indebtedness thereby incurred, the commissioners of Lake county are hereby authorized to issue the bonds of said county for the sum of four thousand dollars, payable \$1,000 annually until paid, with interest not exceeding six per cent. per annum. *Provided, that said bonds shall not be sold for less than their par value; and provided, further, that the funds raised from the sale thereof shall be paid to the officers of said society only upon itemized statements of cost of improvements actually made, properly attested by the president and secretary of said society.*

SEC. 3. The commissioners of said county shall, annually, levy a tax sufficient to pay said bonds and the interest thereon as the same matures.

SEC. 4. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 1042.]

AN ACT

For the relief of certain land owners from the payment of a part of an assessment.

WHEREAS, The estimated cost of the Middle Jeffersonville road improvement in the township of Silvercreek, Greene county, Ohio, was \$7,232.67; and

WHEREAS, The actual cost and expense of the said improvement was \$5,507.36; and

WHEREAS, The assessments already made and collected, lack only \$51.52 of being sufficient to pay all and every expense of the said improvement; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That only \$51.52 of the remaining last installment of the estimated cost of the said improvement shall be assessed against the lands ordered to be assessed.*

SEC. 2. No further assessment shall be made, collected, or placed by the auditor of Greene county on the tax duplicate for taxation against the lands ordered by the county commissioners to be assessed for the construction of the said road improvement, except as provided in section 1 of this act.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 1086.]

AN ACT

To authorize the commissioners of Licking county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Licking county, Ohio, be and they are hereby authorized to transfer the sum of two thousand five hundred dollars from the special road fund to the Licking county national road fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 27, 1885.

[House Bill No. 929.]

AN ACT

To authorize the governor of the state of Ohio to convey by deed to Clement L. Baumann, of Montgomery county, Ohio, a fraction of an acre of land in the north-east quarter of section 32, town 2, range 7, Miami river, Montgomery county, Ohio.

WHEREAS, The board of managers of the Dayton asylum for the insane, have agreed with C. L. Baumann, in order to straighten the lines of lands respectively owned by said C. L. Baumann and the state of Ohio, in Montgomery county, Ohio, and being the lands adjacent to the Dayton asylum for the insane, in said county of Montgomery, and state of Ohio, to exchange fractional parts of one acre each of their respective lands upon the following basis: The said C. L. Baumann to convey to the state of Ohio the real estate described as follows, to-wit: Situate in the county of Montgomery, and state of Ohio, and in Van Buren township, and being part of the north-east quarter of section 32, town 2 of range 7, Miami river, bounded by beginning in the center of the Schutte road, and being the southwest corner of Baumann's twelve acre lot or tract of land, and running thence north $\frac{1}{2}^{\circ}$ west 75-100 chains, thence north $89\frac{1}{2}^{\circ}$ east 3 75-100 chains, thence south $\frac{1}{2}^{\circ}$ east 1 75-100 chains, thence south $89\frac{1}{2}^{\circ}$ west 3 75-100 chains along the center of the Schutte road to the place of beginning, in exchange for and upon the condition that the state of Ohio convey to the said C. L. Baumann a fraction of an acre of land, and being the same county, state, range, township and section, and being the strip of ground lying between Baumann's west line extended, and the Dayton and Wilmington pike, and Baumann's north line, and the creek or wasteway immediately north of said line; and

WHEREAS, Said C. L. Baumann has further agreed to pay to the state of Ohio the sum of fifty dollars, and has further agreed to perform all his covenants in said conditional contract set forth; and

WHEREAS, Said C. L. Baumann has deposited with the treasurer of the state of Ohio said sum of fifty dollars, in accordance with the proposition and the agreement entered into between him and said board of managers, and has executed his deed for the tract first described herein, and deposited the same with the governor of Ohio; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of Ohio be and he is hereby authorized to convey by deed in fee

simple to C. L. Baumann, the real estate above mentioned, as follows, to-wit: Situate in the county of Montgomery, state of Ohio, and in Van Buren township, and in the northeast quarter of section 32, town 2, range 7, Miami river, bounded by beginning at the northwest corner of C. L. Baumann's twelve acre tract, and running thence north $\frac{1}{2}^{\circ}$ west 143-100 chains to the center of the creek, thence northeastwardly with the meanderings of the creek or wasteway to the center of the Dayton and Wilmington turnpike road, thence south $40\frac{1}{2}^{\circ}$ east 368-100 chains with the center of said turnpike road to said Baumann's northeast corner, thence along Baumann's north line south $85\frac{1}{2}^{\circ}$ west 5 chains to the place of beginning.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1026.]

AN ACT

To increase the levy for the purpose of continuing the schools in the special district of Cridersville, Auglaize county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education in the special school district of Cridersville, in Auglaize county, be and they are hereby authorized to levy a tax for the years of 1885, 1886, 1887 and 1888, not exceeding ten mills on the dollar, annually, on all of the taxable property in said special school district, in addition to the levy now authorized by law for continuance of the schools in said special school district; said tax to be levied and collected in the same manner as taxes for the common school fund are levied and collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[Senate Bill No. 364.]

AN ACT

To amend section three (3) of an act entitled "an act to authorize the board of trustees of the Cincinnati hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases," as passed May 10, 1878, (Ohio laws, vol. 75, page 1151).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* section three (3) of an act entitled "an act to authorize the board of trustees of the Cincinnati hospital to establish a branch hospital for the accommodation of

persons afflicted with contagious diseases," as passed May 10, 1878, be amended to read as follows:

Section 3. That the proceeds arising from the sale of the real estate authorized by section 1 of this act to be sold, shall belong to the Cincinnati hospital, and be deposited with the city treasurer, and be a special fund to be applied by said board of trustees to the payment of expenses to be incurred by them in the erection of suitable accommodations and quarters in said Cincinnati hospital for persons suspected of being afflicted with contagious diseases, and in the care and maintenance of such persons so suspected, of expenses incurred and to be incurred in the care and maintenance of patients in said branch hospital authorized to be built by section 2 of this act, and in extinguishing and paying any existing indebtedness of said branch hospital, and the city treasurer shall disburse the same on the order of said board of trustees, signed by the president and countersigned by the secretary of said board, and said branch hospital and grounds shall be under the government and control of the said trustees of the Cincinnati hospital, and subject to such rules and regulations as they may adopt.

SEC. 2. That said original section 3, as passed May 10, 1878, be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[House Bill No. 1104.]

AN ACT

To authorize the council of the incorporated village of Miamisburg, Montgomery county, Ohio, to transfer money from the general expense fund to the street improvement fund; and from the police fund to the public building fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Miamisburg, Montgomery county, Ohio, be and it is hereby authorized to permanently transfer from the general expense fund of said village to the street improvement fund the sum of one thousand dollars; and from the police fund to the public building fund the sum of three hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885. •

[House Bill No. 883.]

AN ACT

For the better protection of quail in Fulton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* whoever, within the county of Fulton, Ohio, catches, kills or injures, or pursues with such intent, any quail before the first day of November, one thousand eight hundred and ninety, shall be fined not more than twenty-five dollars nor less than five dollars, or be imprisoned not more than thirty days, or both.

SEC. 2. All laws and parts of laws in conflict with this act are suspended and superseded by this act so far as they relate to said Fulton county, for the purposes herein specified.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 892.]

AN ACT

To authorize the board of education of the village of Middletown, Butler county, Ohio, to purchase site or sites, and erect school-house or houses thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the village of Middletown, Butler county, state of Ohio, be and the same is hereby authorized and empowered to issue bonds not exceeding thirty thousand dollars (\$30,000) in amount, for the purpose of buying a site or sites for a school-house or school-houses in the village of Middletown, Butler county, state of Ohio, and for the purpose of erecting a school-house or houses thereon; said bonds to be issued at such times and in such sums, and payable at such times and place, as said board of education may think best; said bonds shall bear interest at a rate not exceeding five (5) per centum, payable semi-annually. Said bonds, when issued, shall not be sold at less than their par value. The proceeds of said bonds shall be paid into the treasury of said school board, to be used as needed, for the purchase of said school site or sites, and the erection of a school house or houses thereon, and the proper furnishing thereof. The clerk of the said board of education shall keep a record of the number, date, amount, rate of interest, the time when payable, the sum for which, and the person to whom sold, which record shall be open to the public at all reasonable times.

SEC. 2. That said bonds, when issued, shall be signed by the president of said board of education, and countersigned by the clerk thereof, and to provide for the payment of said bonds, and the interest thereon, the board of education of said village of Middletown, Ohio, are hereby authorized and required, annually, to levy a tax on all the taxable property in said village school district of Middletown, Ohio, not exceeding three (3) mills per annum on the dollar valuation; which levy may, if in the opinion of said board it becomes necessary, be in addition to that now authorized by law to be levied by the

boards of such school district; the proceeds of such levy to be exclusively used in the payment of said bonds, and the interest thereon, as authorized by this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 956.]

AN ACT

To authorize the county commissioners of Hamilton county to levy a tax for grading and macadamizing the county roads, known on the plat books of Hamilton county as Harris avenue and Robinson road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Hamilton county, Ohio, be and [are] hereby authorized, and may assess and collect upon the general levy of all the taxable property of said county, a tax not exceeding one-twentieth of a mill on the dollar, two-thirds of which shall be applied to the grading where necessary and macadamizing said Harris avenue, beginning about fifty feet north of the Cincinnati, Washington and Baltimore railway, at the Montgomery turnpike, thence eastwardly between the lands of Joseph G. Langdon and Catharine Woolley, and the sub-division of "East Norwood", on the north, and the Cincinnati, Washington and Baltimore railway, on the south, and the lands of Joseph G. Langdon on the south, till said Harris avenue crosses the railway track of the Cincinnati Northern railway; thence eastwardly between the lands of Joseph G. Langdon and the late Hiram Smith on the south, and the sub-division of East Norwood on the north; thence in a northeasterly direction, dividing the lands of said Catharine Woolley; thence southeasterly, through the lands of Samuel T. Harris, till said avenue crosses Duck creek, and intersects the Duck creek road, at a point about midway between the villages of Norwood and Oakley; and one third of which fund shall be applied to the grading and macadamizing of said Robinson road, beginning on the east side of said Montgomery pike, at a point about one-fourth of a mile north of Pleasant Ridge; extending thence in a southeasterly direction through the lands of Harrison Darrell, Philip Roettinger, Richard Folsom, and A. R. Robinson, to the Pleasant Ridge and Madisonville road. Said amount thus raised, shall not exceed ten thousand dollars, and shall be expended upon said Harris avenue and Robinson road in the proportions herein specified, by and under the direction of said county commissioners of Hamilton county, in the grading and macadamizing of said avenue and road.

SEC. 2. For the purpose of raising money to defray the expenses of constructing said Harris avenue and said Robinson road, said commissioners are authorized and empowered to issue bonds of said Hamilton county, at not less than their par value, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed six per centum per annum, payable semi-annually, not to exceed, in the aggregate, the sum to be assessed and collected as indicated in section one of this act; said bonds to be negotiable and payable within ten years from the date of issue.

SEC. 3. Said bonds shall be signed by said county commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all

bonds, under and by virtue of this act, to whom issued and made payable, and when redeemable.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1019.]

AN ACT

To authorize the village of Van Wert, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the village of Van Wert, Van Wert county, Ohio, is hereby authorized to transfer the following funds, to-wit:*

Two hundred and sixty dollars and thirty cents out of fire bond interest fund, and six hundred dollars out of right of way fund to the street light fund of said village. Also eight hundred dollars out of sewer fund to street improvement fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1035.]

AN ACT

To authorize the commissioners of Ross county, Ohio, to construct a bridge across Paint creek, in said county, and to provide funds for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Ross county are hereby authorized, when in their judgment the public interests will be subserved thereby, to build a bridge and the approaches thereto, across Paint creek, at or near what is known as Lunbeck's dam, at a cost not to exceed fourteen thousand dollars. For the purpose of paying for the same, said commissioners may, annually, levy a tax of three-tenths of one mill, for two consecutive years, on all the taxable property within the county, in addition to all other taxes authorized by law; and if any surplus arising from the levies herein authorized remain after paying for constructing the bridge, and the approaches thereto, the same shall be transferred to the bridge and road fund of the county.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1030.]

AN ACT

To authorize the trustees of Franklin township, Portage county, to purchase a town clock.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Franklin township, Portage county, are authorized to purchase a town clock to be placed in the tower of the First Universalist church in Kent, in said township, and said trustees are hereby empowered to levy a tax on all the taxable property in said township for the payment of the same.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1048.]

AN ACT

To authorize the board of education of the city of Dayton, Ohio, to erect a public library building in said city, and to issue bonds for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the city of Dayton, Ohio, be and the same is hereby authorized, by and with the consent of the council of said city, to erect in the city park of said city a building to be used as a public library.*

SEC. 2. For the purpose of raising the money to erect said building, said board is authorized to issue bonds, at not less than their par value, in sums not less than five hundred dollars (\$500.00) each, bearing interest at a rate not to exceed five (5) per cent. per annum, payable semi-annually, and not to exceed, in the aggregate, the sum of sixty thousand dollars (\$60,000). Said bonds to be payable in not more than twelve years after the date of their issue, out of the contingent fund of said board.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1052.]

AN ACT

For the relief of James K. Gray.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township clerk of Salt Rock township, Marion county, Ohio, be required to draw his order upon the township treasury of said township in favor of said*

James K. Gray, for the sum of \$144, and said township treasurer shall pay the same out of any funds in his hands belonging to sub district number three, Salt Rock, Marion county, Ohio, and sub-district number twelve, in Wyandot county, Ohio, (which sub districts, together, form a joint sub-district), for the purpose of paying teachers.

SEC 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1060.]

AN ACT

Providing for the relief of Mrs. Jeannette Fulwiler, of Scioto county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of Scioto county are hereby authorized to compromise with Jeannette Fulwiler for a sum of money not exceeding five hundred dollars (\$500.00).*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1062.]

AN ACT

For the relief of Peter F. Boynton, ex-treasurer of the Haverhill special school district, No. 1.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of the Haverhill special school district, No. 1, is hereby authorized and empowered to receive from Peter F. Boynton, a transfer of the certificate of deposit of W. Kenney & Co., of Portsmouth, Ohio, for \$390.87, of date March 16, 1877, to stand as a credit to him against his liability to said board, on account of the uncollected balance thereof due him from said W. Kenney & Co., and not collected and turned over to said board, by reason of the failure and insolvency of said company, and which certificate was issued to said Boynton for funds of said district deposited by him, then treasurer of said district, for safe-keeping, payable on demand. And upon the assignment of said certificate to said board by said Boynton, and paying over to the treasurer of said board all money collected on said certificate up to that date, said Peter F. Boynton shall stand released of all further liability on account of the uncollected balance of said certificate, and said certificate of deposit shall be the property of said board, together with the amounts thereafter realized thereon; provided, that said board shall first submit said proposition to release to the qualified electors of said district at either a special or a general election, and two-thirds of the electors at said election vote in favor of such release.*

SEC. 2. It shall be the duty of said board, before submitting said proposition, to give ten days' notice of the same in at least five public places in said district. The form of the ballots at said election shall be as follows: "For the release of Peter F. Boynton—Yes;" and "For the release of Peter F. Boynton—No."

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1084.]

AN ACT

To authorize the council of the village of Bellville, Richland county, Ohio, to borrow money and to issue bonds for the purpose of procuring a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Bellville, Richland county, Ohio, be and the same is hereby authorized to procure a steam fire engine.

SEC. 2. That for the purpose of paying for said engine, the council of said village is hereby authorized to issue the bonds of said village, in an amount not exceeding fifteen hundred dollars, in denominations of one hundred dollars each, signed by the mayor and clerk of said village.

SEC. 3. Said bonds shall bear interest at the rate of six per cent. per annum from April 1, 1886, and shall become due and payable as follows: One on the first day of April, and one on the first day of October, 1886, and one on the first day of April, and one on the first day of October of each succeeding year, until all of said bonds shall be paid.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1111.]

AN ACT

To authorize the commissioners of Vinton county, Ohio, to refund taxes erroneously assessed to the board of education of McArthur village district, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Vinton county, be and they are hereby authorized to refund to the board of education of McArthur village district, any taxes which may have been erroneously assessed and paid by said board of education.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[House Bill No. 1117.]

AN ACT

To authorize the commissioners of Montgomery county, Ohio, to provide for a deficiency in the poor funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Montgomery county, Ohio, for the purpose of meeting and providing for a deficiency in the poor funds of said county, are hereby authorized and empowered to issue bonds in an amount not exceeding twenty-five thousand (\$25,000) dollars; said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations from one hundred dollars to one thousand dollars each, and shall be due and payable at such times, not exceeding ten years, as the commissioners may determine.

SEC. 2. That for the payment of such bonds, and the interest thereon, the commissioners are hereby authorized and required to levy, annually, a tax not exceeding two-tenths of one mill on the dollar on all the taxable property of said county, in addition to the taxes now authorized to be levied, and so continued until such indebtedness shall be entirely discharged.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[Senate Bill No. 427.]

AN ACT

To authorize the council of the village of Recovery, Mercer county, to levy a tax and issue bonds to raise money to pay present indebtedness, purchase fire-engine, and improve streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Recovery, Mercer county, be and the same is hereby authorized to purchase a fire engine, and improve the streets of said village, and to raise money for these purposes and to pay the present indebtedness of said village, not exceeding in the aggregate twelve thousand dollars, in the manner hereinafter provided.

SEC. 2. The council of said village is hereby authorized to issue bonds, not exceeding in amount the sum of twelve thousand dollars (\$12,000), for said purposes; said bonds shall be signed by the mayor and clerk of said village, and may be issued in denominations of not less than one hundred dollars, nor more than five hundred dollars; said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value.

SEC. 3. For the payment of the principal and interest of said bonds, as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property of said village, in such assessments as will each year meet the principal and interest then falling due upon said bonds.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 394.]

AN ACT

To amend section 4 of an act passed April 5, 1866, entitled "an act to authorize the trustees of Farmers' College, of Hamilton county, to dispose of certain lands."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four of an act, passed April 5, 1866, entitled "an act to authorize the trustees of Farmers' College, of Hamilton county, to dispose of certain lands," be amended so as to read as follows:

Section 4. That the moneys arising from sales of real estate, after paying the necessary expenses attending the same, shall be invested in the stocks or bonds of the United States, the bonds of the state of Ohio, Hamilton county, or city of Cincinnati, or in mortgages on real estate worth double the amount loaned, without the improvements, yielding an interest of not less than six per cent. per annum, which interest, with the annual rents and other incomes only, shall be used for the support and maintenance of the said college, reserving the principal as an irreducible fund for the said college.

SEC. 2. That original section four of the act, to which this is amendatory, be and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed [April] 29, 1885.

[Senate Bill No. 449.]

AN ACT

Authorizing the trustees of Athens township, Athens county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Athens township, Athens county, are hereby authorized to transfer any surplus funds, not exceeding five hundred dollars, from the general township fund in the treasury of said township, to the road fund therein.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 486.]

AN ACT

To authorize and require the commissioners of Madison county, Ohio, to purchase a lot and to build thereon a jail and sheriff's or jailor's residence, and to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Madison county, Ohio, are hereby authorized and required to purchase a lot or lots of land, at such point at the county seat of said county as in their judgment may be deemed most for the public good, and to erect and construct thereon a jail, together with suitable apartments adjoining the same, or near thereto, to be used by the sheriff or jailor of said county as a residence; the plans and specifications for said building or buildings shall be determined upon, and the contract or contracts for constructing the same shall be let according to law, and within nine months after the passage of this act, which contract or contracts shall require said buildings to be completed as soon as practicable. The whole cost of purchasing said lot or lots of land and of constructing said building or buildings shall not exceed forty thousand dollars.

SEC. 2. That the commissioners of said county, for the purpose of purchasing said lot or lots of land and building said jail and sheriff's or jailor's residence, are hereby authorized to borrow such sum or sums of money, not exceeding forty thousand dollars, as they may deem necessary, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and to issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners may prescribe, within ten years from the day of such indebtedness; said bonds shall be sold according to law and for not less than their par value.

SEC. 3. That the bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor, with or without coupons attached, as the commissioners shall determine, in sums of not less than one hundred nor more than one thousand dollars each, payable to the bearer at the county treasury, with interest as aforesaid, and such bonds shall specify distinctly the object for which they were issued

SEC. 4. The commissioners shall annually, at their June session, levy such tax upon the taxable property of the county as will pay the interest upon such indebtedness, and the principal as it matures.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 510.]

AN ACT

Supplementary to an act entitled "an act to authorize the trustees of Johnson township, Champaign county, Ohio, and the village of Saint Paris, to purchase a site and erect thereon a town hall," passed April 14, 1884, (vol 81, O. L. p. 367), to provide for the issuing of bonds to amount of \$300 to complete and furnish the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Johnson township, Champaign county, Ohio, for the purpose of completing and furnishing a town hall in said township, be and are hereby authorized to issue bonds of said Johnson township to the amount not to exceed eight hundred dollars (\$800) in sums of not less than one hundred dollars (\$100) each, bearing a rate of interest not to exceed six per cent. per annum, payable annually, at the office of the township treasurer. Said bonds shall be signed by the trustees and attested by the clerk of said township. The bonds shall be made payable at any time within and not to exceed five years, and shall be advertised and sold according to law.

SEC. 2. Said township trustees are hereby authorized and required to levy a tax on all taxable property in said township in such amounts as will be necessary to meet the payments of said bonds and interest as they shall become due, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 529.]

AN ACT

To authorize the board of trustees of Bath township, Greene county, Ohio, to levy a tax and purchase real estate and erect thereon a township house, or to purchase improved real estate for purposes herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of Bath township, Greene county, Ohio, are hereby authorized to levy a tax upon the taxable property of said township not exceeding one-tenth of one mill per centum in any one year, sufficient to produce the sum of three hundred and seventy-five dollars and interest that may accrue thereon as hereinafter provided, and with such fund and any unexpended and unappropriated balance now in the treasury of said township, to purchase improved real estate or to purchase a suitable site and erect thereon a township hall, for the transaction of the public business of said township, and for public assemblies, etc.

SEC. 2. Said trustees are hereby authorized to anticipate the revenue to be derived from the levy authorized by the preceding section by issuing the bonds of said township to the amount of the levy aforesaid, less the amount of the interest that may accrue on such bonds.

SEC. 3. Said bonds shall be in sums of one hundred and twenty-five dollars

each, to be issued by the board of trustees aforesaid, in their corporate name, signed by the president of the board and countersigned by the clerk of said township, who shall keep a record of the same, one payable February —, 1886; one payable August —, 1886, and one payable February —, 1887, each bearing interest at a rate not exceeding six per centum per annum, payable at the office of the treasurer of said township; and provided, further, that said bonds shall not be sold for less than the par value of the same, and the proceeds to be used for no other purpose than that aforesaid.

SEC. 4. Said real estate so improved as aforesaid, shall be and remain in the care and control of the board of trustees, subject to such rules and regulations as it may make from time to time for the care and preservation thereof.

SEC. 5. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[House Bill No. 1105.]

AN ACT

To change the name of a citizen of Columbus, Franklin county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of Amelia Kelsey, now a resident of Columbus, Franklin county, Ohio, be changed to Amelia Richards.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[Substitute for Senate Bill No. 470.]

AN ACT

To authorize the city of Columbus to construct and maintain a bridge across the railroad tracks of said city, and to issue bonds therefor; and to construct and maintain a main trunk or intercepting sewer in said city, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* authority be and the same is hereby granted to the city of Columbus, in said state of Ohio, to construct and maintain an iron bridge across the railroad tracks in said city, upon Lazelle street on the north in said city, east of High street, and at such point on the south as the city council of said city may direct; also to construct and maintain a main trunk or intercepting sewer in said city in such manner and between such points as the city council of said city of Columbus may determine, so as to intercept the sewers and carry off the sewerage of said city to a proper and convenient point below said city.

SEC. 2. That the said city of Columbus be and it is hereby authorized and

empowered for the purpose of constructing the bridge aforesaid, to issue the bonds of said city in the denomination of one thousand dollars each (\$1,000), for a sum not exceeding fifty thousand dollars (\$50,000), to run for such length of time, not exceeding ten years, and for the purpose of constructing the sewer aforesaid, to issue the bonds of said city in the denomination of one thousand dollars (\$1,000) each, for a sum not exceeding three hundred thousand dollars (\$300,000), or so much thereof as may be necessary, to run for such length of time not exceeding twenty years; all of said bonds to bear such rate of interest, not exceeding six per centum per annum, payable annually or semi-annually, all as said city council may determine, and said bonds shall in all respects be made and disposed of as provided by law; and the proceeds thereof shall be used and applied exclusively to the purposes respectively, for which they are respectively issued.

SEC. 3. For the purpose of paying the principal and interest of the bonds so to be issued, the city council of said city of Columbus is hereby authorized and empowered to levy, annually, upon all the taxable property of said city, a tax sufficient in rate and amount for each of said purposes, to pay the principal and interest of such bonds respectively so to be issued, when the same respectively may become due, and additional in rate and amount to the aggregate rate and amount of all taxes now or hereafter to be levied or ordered by said corporation.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[House Bill No. 1085.]

AN ACT

To authorize the board of education of the village of Paulding, Paulding county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Paulding, in Paulding county, Ohio, be and are hereby authorized to borrow any sum not exceeding three thousand five hundred dollars for the purpose of purchasing heating apparatus for the school-house in said village and for furnishing said house with black-boards, desks and such other [things] as may be needed.

SEC. 2. That for the purpose aforesaid, said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars, and not more than five hundred dollars each, bearing interest at a rate not exceeding six per centum per annum, payable at such time or times not exceeding twenty years from the respective dates thereof as said board may determine; said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed April 29, 1885.

[Senate Bill No. 507.]

AN ACT

To authorize the trustees of Deercreek township, Pickaway county, to issue bonds to build a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Deercreek township, Pickaway county, Ohio, be and they are hereby authorized to issue the bonds of said township, not to exceed the sum of two thousand dollars (\$2,000), for the purpose of building a township house, as directed by the vote of the majority of the electors of said township voting upon the proposition at the election April 6, 1885. Said bonds to be issued in denominations of one hundred dollars each, to bear interest at a rate not exceeding six per cent. per annum, to be payable at such times not exceeding three years, as said trustees may determine, and shall be disposed of as provided by law.*

SEC. 2. That for the purpose of paying said bonds and interest, said trustees are hereby authorized to levy a tax each year, not exceeding three years, to be collected as other taxes.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 519.]

AN ACT

To extend the police powers of the city of Defiance.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the police powers of the city of Defiance, are hereby extended so as to include the grounds of the Defiance county agricultural society; and the council of said city of Defiance shall provide ample police protection whenever exhibitions are conducted under the auspices of said society.*

SEC. 2. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 500.]

AN ACT

To authorize the village of College Hill, Hamilton county, Ohio, to borrow money to build a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of College Hill, in the county of Hamilton, be and it hereby is authorized to borrow money, not exceeding ten thous-*

and dollars in amount, for the purpose of erecting a building containing a town hall and offices for the officers of the corporation, and the council of said village is hereby authorized to issue bonds of the village for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi annually; and said bonds shall be of such denominations, and shall mature at such times as the council shall determine, and shall be sold as provided by law.

SEC. 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village as may be necessary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SEC. 3. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 496.]

AN ACT

To authorize the commissioners of Gallia county to build a jail and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Gallia county be and they are hereby authorized to build a jail, including apartments therein to be used by the sheriff or jailor as a residence, and to purchase a site therefor, if deemed for the best interests of the county, and for that purpose they are authorized to issue the bonds of said county to an amount not exceeding fifteen thousand dollars.

SEC. 2. Said bonds shall be issued in such denominations as said commissioners may determine, but in no case for less than one hundred nor more than five hundred dollars, and shall bear interest at not more than six per cent. per annum, interest payable semi-annually, and payable at such times as said commissioners shall determine, but not beyond five years from their date, and shall be sold according to law.

SEC. 3. For the purpose of building said jail and paying the principal and interest of said bonds as the same shall become due and payable, there shall be levied annually a sum sufficient upon all the taxable property of the county aforesaid, in addition to the taxes now authorized by law to be levied therein.

SEC. 4. That the county commissioners are authorized to sell the old jail and the jail lot, if considered for the best interests of the county to do so, and to apply the proceeds arising therefrom to the erection of the new jail provided for in section one of this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 484.]

AN ACT

To provide for the transfer of certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Crane township, Paulding county, Ohio, are hereby authorized and directed to transfer any surplus funds which have arisen, or may hereafter arise, from a levy made for the purpose of erecting a town hall in said Crane township, to the school fund of said Crane township and the village school district of Cecil, in said township; the apportionment to be made in proportion to the relative valuation of said township and village school district.*

SEC. 2. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 469.]

AN ACT

For the relief of Martin McManus, treasurer of the village of Coshocton, Ohio; Andrew Brannon, treasurer of Franklin township, Coshocton county, Ohio; D. R. Parkhill, treasurer of Keene township, Coshocton county, Ohio; Emanuel Wright, treasurer of Virginia township, Coshocton county, Ohio; and John Marx, treasurer of Lafayette township, Coshocton county, Ohio.

WHEREAS, On the — day of —, A. D. 1885, the bank of John G. Stewart, in Coshocton county, Ohio, failed in a large amount; and

WHEREAS, Martin McManus, treasurer of the village of Coshocton, Ohio, had on deposit in said bank, as such treasurer, at the time of such failure, money belonging to said village, amounting to the sum of twelve hundred and fifty-eight dollars and sixty-nine cents (\$1,258.69); and

WHEREAS, Andrew Brannon, as treasurer of Franklin township, Coshocton county, Ohio, had at the same time on deposit, in said bank, six hundred and fifty-eight dollars and seventy-four cents (\$658.74), belonging to said township; and

WHEREAS, D. R. Parkhill, treasurer of Keene township, Coshocton county, Ohio, had at the same time on deposit in said bank, three hundred and fifteen dollars belonging to said township; and

WHEREAS, Emanuel Wright, as treasurer of Virginia township, Coshocton county, Ohio, had at the same time on deposit in said bank, five hundred dollars belonging to said township; and

WHEREAS, John Marx, as treasurer of Lafayette township, Coshocton county, Ohio, had at the time on deposit in said bank, six hundred and forty-five dollars and eighty-five cents, belonging to said township; and

WHEREAS, Said bank will not be able to pay its depositors in full; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the said Martin McManus, D. R. Parkhill, Emanuel Wright, John Marx and Andrew Brannon, and their respective bondsmen be and the same are hereby released from all payment of, and liability for so much of the aforesaid funds*

as the assignee of said John G. Stewart shall fail to repay to said McManus, D. R. Parkhill, Emanuel Wright, John Marx and said Brannon, on a full and final settlement of said assigned estate; provided, that the council of said village of Coshocton and the trustees of said Franklin, Keene, Virginia and Lafayette townships shall respectively submit to the qualified voters of said village and townships respectively, the question as to the release of their respective treasurers and their bondsmen as aforesaid, which question of release shall be submitted at some general or special election to be held within one year after the date of the passage of this act, after having first given two weeks' notice of said submission in some newspaper of general circulation in said county of Coshocton; and provided further, that at such elections, a majority of the electors voting on said questions, shall vote for the release of their said respective treasurers above named, and their bondsmen, then the said Martin McManus, D. R. Parkhill, Emanuel Wright, John Marx and the said Andrew Brannon, and their respective bondsmen, shall be released from all liability as aforesaid; and provided further, that said Martin McManus, D. R. Parkhill, Emanuel Wright, John Marx and Andrew Brannon shall, after receiving their final dividend from the assigned estate of said John G. Stewart, assign their respective claims against said bank for and on account of the balance of their respective deposits therein, to the said village of Coshocton and the said townships of Franklin, Keene, Virginia and Lafayette, respectively.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 521.]

AN ACT

To authorize the commissioners of Marion county, Ohio, to issue bonds and levy a tax for the purpose of completing and furnishing a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Marion county, Ohio, be and they are hereby authorized to issue the bonds of said county, in an amount not exceeding fifteen thousand dollars, in addition to the amount now authorized by law, for the purpose of defraying the additional cost made by reason of changes in the construction of a court-house in said county, and for fully completing and furnishing the same.

SEC. 2. That the bonds so issued shall be signed by the commissioners, and countersigned by the auditor, with coupons attached, in denominations of not less than one hundred nor more than one thousand dollars each, payable at the county treasury, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall become due at such times as the commissioners may determine, not exceeding fifteen years from the date of issue; said bonds to be issued and sold according to law, and for not less than their par value.

SEC. 3. The commissioners of the county shall, annually, at their June session, levy such tax, in addition to the taxes now authorized by law, as will pay the interest upon said bonds, and the principal as it matures.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[Senate Bill No. 408.]

AN ACT

To authorize the commissioners of Wood county to settle certain claims herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Wood county, Ohio, be and they are hereby authorized to pay George M. Brown, sheriff of said county, such sum as they may deem just and reasonable, not exceeding five hundred dollars (\$500.00), for his extra service rendered, and extra necessary expense incurred in and about the hanging of Carl Bach, in said Wood county.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[House Bill No. 984.]

AN ACT

To authorize the commissioners of Adams county, Ohio, to issue bonds to furnish and pay expenses of the Wilson children's home.

WHEREAS, The Hon. John T. Wilson donated the sum of fifty thousand dollars for the purpose of building a children's home in Adams county, Ohio; and

WHEREAS, Said donation has been wholly expended in building said home; and

WHEREAS, the commissioners of said county have failed to provide by taxation for the furnishing and current expenses of the said children's home; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Adams county, Ohio, be and they hereby are authorized and empowered to issue coupon bonds of said county, not to exceed in amount the sum of five thousand dollars (\$5,000), for the purpose of furnishing and paying current expenses of the Wilson children's home, in said county. Said bonds shall be issued in sums not less than one hundred dollars and not more than one thousand dollars each, and bearing interest at a rate not exceeding six per cent. per annum, the interest on said bonds to be paid semi-annually, and said bonds shall not be issued for a longer period than three years from the date of their issue, and shall be sold according to law.

SEC. 2. Said commissioners of Adams county are hereby authorized to levy a tax, not to exceed one mill on the dollar in any one year, on all the taxable property of said county, for the redemption of said bonds.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[House Bill No. 993.]

AN ACT

To authorize the commissioners of Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Putnam county, Ohio, be and the same are hereby authorized to transfer twenty-five hundred dollars (\$2,500) from the dog tax fund to the infirmity fund of said county.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 30, 1885.

[House Bill No. 1165.]

AN ACT

To authorize the city council of the city of Columbus to transfer certain balances to the sewers and drainage fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That for the purpose of constructing sewer drops along the line of main trunk sewers and for the purpose of paying a balance of one hundred and forty-eight dollars and eighty cents (\$148.88) due on account of the construction of the Spring street main trunk sewer, the city council of the city of Columbus be and it is hereby authorized and empowered to transfer the following balances to the sewers and drainage fund for the purposes above given, and for none other whatsoever:*

| | |
|-------------------------------------|----------|
| Northeast sewer, No. 2..... | \$553 52 |
| Northwest sewer, No. 2 | 33 60 |
| West side sewer, No. 1..... | 1,064 16 |
| West side sewer, No. 2..... | 46 74 |
| Mound street sewer, No. 1..... | 1,925 64 |
| Fulton street sewer, No. 1..... | 757 64 |
| East Broad street sewer, No. 1..... | 5,552 61 |
| West Broad street sewer, No. 2..... | 98 95 |

Total..... \$10,017 86

making a total sum of ten thousand and seventeen dollars and eighty-six cents.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of the Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1153.]

AN ACT

To authorize the board of education of the village of New Lexington school district, Perry county, Ohio, to issue bonds to erect a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of New Lexington school district, Perry county, is hereby authorized and empowered to issue bonds, not to exceed twenty thousand dollars (\$20,000), for the purpose of erecting a school house in the village of New Lexington, Perry county, Ohio; said bonds to be in such denominations, and payable at such times and place, as said board of education may think best, and shall bear interest at the rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold at less than their par value. The proceeds of said bonds shall be paid into the treasury of said school board; and said board of education is hereby authorized and empowered to levy a tax, annually, sufficient to pay the accruing interest on bonds and provide a sinking fund for the redemption of said bonds as they become due. Said levy, if necessary, may be in addition to the limitation now imposed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1149.]

AN ACT

To authorize the village of Avondale, Hamilton county, to borrow money for sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Avondale, in the county of Hamilton, be and hereby is authorized to borrow money, not exceeding fifty thousand dollars in amount, for the purpose of building sewers for such village; and the council of said village is hereby authorized to issue bonds of the village for the money so borrowed, said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and said bonds shall be of such denominations, and shall mature at such times as the council shall determine; provided, that such bonds shall not be sold for less than their par value.

SEC. 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village, as may be necessary to pay the interest and principal of such bonds when the same become due. Said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1128.]

AN ACT

To authorize the board of education of the village of Brooklyn to issue bonds to build a school house and purchase a site therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Brooklyn, Cuyahoga county, may, for the next three years, levy on each dollar of valuation of taxable property of said village, one mill per year, additional to that now allowed; the proceeds of said levy to be used for school expenses other than for school-house purposes; and said board is hereby further authorized to issue the bonds of said village, not exceeding the sum of five thousand dollars, payable in two, three, four, five, and six years, with interest not exceeding six per cent. per annum, and to levy on said taxable property a sum, in addition to that hereinbefore provided, sufficient to meet the payment of the same as they become due; the proceeds of the sale of said bonds to be used for the purpose of enlarging the school-house on Newburg street, or building a new school-house and purchasing a lot for the same, if in the judgment of the school board an additional lot is necessary, or for any or all of the above required provisions as in their judgment may be deemed best.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1126.]

AN ACT

To authorize the board of education of the city of Newark, Licking county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Newark, in Licking county, Ohio, be and are hereby authorized to borrow any sum, not exceeding twenty thousand dollars, for the purpose of completing the new high school building, now in process of erection in said city.

SEC. 2. That for the purpose aforesaid, the said board of education are authorized to issue bonds, not exceeding twenty thousand dollars, to be signed by the president and attested by the clerk of said board, in sums not less than one hundred dollars and not more than one thousand dollars, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding five years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. Said board of education shall annually thereafter cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof, as the same shall become due, in the manner provided by law for levying and collection of taxes.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1095.]

AN ACT

To authorize the village of New Holland, Pickaway county, Ohio, to issue bonds for the purpose of purchasing a site, building a mayor's office, village prison and public hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of New Holland, Pickaway county, Ohio, be and is hereby authorized to issue the bonds of said village in any sum not exceeding in amount four thousand five hundred dollars, for the purpose of purchasing a site, building a mayor's office, village prison and public hall. Said bonds to be payable in twenty equal semi-annual payments, commencing April 1, 1885, to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be sold according to law.

SEC. 2. That the council of said village, for the purpose of paying said bonds and interest, is hereby authorized to levy a tax, in accordance with law, upon all the taxable property of said village, to be certified to the county auditor and collected as other taxes for village purposes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1031.]

AN ACT

To change the name of a citizen of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of Minnie A. Densmore, a resident of Hiram, Portage county, be changed to Minnie A. Young.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 1006.]

AN ACT

Authorizing the commissioners of Hamilton county to levy a tax to grade, macadamize and improve the Campbell road in Harrison township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized, required and directed to assess and

collect upon the grand levy of taxable property of said county, a tax of three one-hundredths of a mill, which shall be assessed in the year 1885, to be applied as soon after collection as is practicable, to the grading, macadamizing and completing of the road beginning at a stake in the west line of a road running from Valley Junction to the Harrison pike, near a brick school-house in section 29, of Harrison township in said county, thence west and northwestwardly to the center of the state road, near the suspension bridge over the Whitewater river, south of the town of Harrison, and known and designated as the Campbell road, as surveyed and established by the commissioners of Hamilton county, with a roadway of not less than forty feet in width, and to conform to said original surveyed route of said road.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 996.]

AN ACT

To authorize the commissioners of Adams county, Ohio, to construct a free turnpike road and to build a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct a free turnpike road, and to build a bridge over Blue Creek, said road beginning at the east end of the Blue creek and forge dam pike, and running east, crossing Blue creek near the mouth of said creek; thence through the lands of William Cooper, jr., and thence on a line and through a lot of G. S. Pile; thence through the southeast end of a lot owned by W. L. Robinson, and through the lands of Jacob Pile, to intersect the Rome and Mineral Springs free turnpike at or near the Blue creek P. O.*

SEC. 2. Said commissioners may, in their discretion, order at once the construction of said free turnpike road and the building of said bridge over Blue creek, but before ordering said road may require donations of not less than twenty per centum of the estimated cost of said road, and may issue bonds for the building and construction of said improvements, bearing six per cent. interest, which shall be sold according to law, and may levy a tax not exceeding one mill on the dollar, annually, on all the taxable property of said county, for the purpose of paying said bonds and interest thereon.

SEC. 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications and order said improvements or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate

Passed May 1, 1885.

[House Bill No. 974.]

AN ACT

Authorizing the county commissioners of Athens county to construct free turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Athens county are hereby authorized, when in their judgment the public interests demand it, to cause to be constructed free turnpike roads, on or near any state or county road in said county, of such width as in their judgment may seem best. And in the construction of such roads, said commissioners shall proceed in accordance with the provisions of sections 4770, 4771, 4772 and 4773 of the Revised Statutes; provided, that not more than two thousand dollars of the public money shall be expended for such purpose in any one year. And before ordering any such road, said commissioners shall require donations of not less than twenty per centum of the estimated cost thereof to aid in the construction of such road, and may issue bonds for the construction of such roads, bearing not more than six per cent. interest per annum, payable at the pleasure of said commissioners, which bonds shall not be sold for less than their par value. And said commissioners may levy a tax on all taxable property in said county, not more than two-tenths of a mill on the dollar annually, for the purpose of paying for the construction of such roads, or for paying the said bonds that may be issued.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 962.]

AN ACT

To change the name of a citizen of Brimfield, Portage county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the name of Dallas Shields, now a resident of Brimfield, Portage county, Ohio, be changed to Dallas Moulton.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 905.]

AN ACT

To authorize the completion of the records of the recorder's office, Hamilton county, and to provide funds therefor.

WHEREAS, The destruction of the records of the office of the recorder of Hamilton county, by the burning of the court-house of said county, has thrown

said office into such confusion and doubt that it is impossible to properly trace the title to any piece of property in Hamilton county, which involves the taxpayers of said county in great trouble, and results in a great loss of revenue thereby to said county; and

WHEREAS, The business of the recorder's office for the past fourteen years has been such that the exigencies of the times require that a new set of indexes should be opened; and

WHEREAS, The consolidated set of indexes, embracing the first and second series of general indexes, commenced ten years ago, still remain unfinished, and should be completed; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the recorder of Hamilton county shall have power, agreeable to the directions of the county commissioners, and at no greater rate than heretofore allowed by them for similar services, to re-copy such of the records as have been partially burned, to have the same carefully compared, to restore, as far as may be in his power, such records as have been totally destroyed, to open up a fourth series of general indexes upon a plan which, in the opinion of the county commissioners, would prove perpetual; and also to finish up and complete the consolidated series of the first and second series of the general index, and that the original first and second series shall be filed away, as a duplicate, in some safe place, to be designated by the county commissioners, under the control of the county recorder.*

SEC. 2. To carry out the provisions of this act, the recorder shall employ such assistance as he may deem necessary, and to create a fund to defray the expenses to be incurred by this act, (to be known as the real estate record fund), the commissioners of said county, without the concurrence of the board of control thereof, shall forthwith, upon the written request of said recorder from time to time, as often as said recorder shall find it necessary, borrow and pay into the county treasury, money, not exceeding in the aggregate the sum of forty thousand dollars (\$40,000), in sums of not more than ten thousand dollars (\$10,000), at one time, and no more than shall be sufficient to complete the work, as said recorder shall find necessary, and at no greater rate of interest than five per cent.; and to secure the payment of the principal and interest thereof, the commissioners of said county shall issue the bonds of said county in the mode and manner prescribed by section eight hundred and seventy-two of the Revised Statutes, and the act passed March 22, 1883, entitled "an act providing for the sale of public bonds," (40 O. L. 68); provided, however, that said bonds shall be issued in denominations of \$500.00 each, with coupons, or registered, due in thirty years, and redeemable in twenty years from date; provided, however, that payment from this fund shall be made upon the order of the county commissioners, when certified to them by the recorder; and, provided further, that no part of this fund shall be transferred to any other fund, or to be used for any other purpose, by the commissioners of said county, until the completion of said records and indexes, when the surplus, if any, shall be transferred to the county fund.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 829.]

AN ACT

To change the name of Henry F. Beard to Henry F. Johnson.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of Henry F. Beard, who is now a resident of Burton, Geauga county, be and the same is hereby changed to Henry F. Johnson.*

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 526.]

AN ACT

To create a separate voting precinct in Paul ing township, Paulding county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That that portion of Paulding township, in Paulding county, hereafter described, shall be a separate and independent voting precinct in said township, said separate voting precinct being as follows: Commencing at the township line between Harrison and Paulding townships, in said county, where the crooked creek crosses the same, and running thence in a northeasterly course, following said creek to the half section line between sections twenty-one (21) and twenty-two (22), and thence due east on the half section line to the township line between Paulding and Jackson townships, in said county of Paulding; thence south to the township line between Blue Creek and Paulding townships; thence west on the township line to the line between Paulding and Harrison townships; and thence due north to the place of beginning. Said voting precinct to be known and designated as Briceton voting precinct.*

SEC. 2. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 1, 1885.

[House Bill No. 760.]

AN ACT

Authorizing the city of Columbus to borrow money and issue bonds therefor to cover the deficiencies for the current year in the general expense and police funds of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the city of Columbus be and is hereby authorized, for the purpose of meeting deficiencies for the current year in the general expense and police funds of said city, to borrow not to exceed fifty thousand dollars, and to issue the bonds of*

said city therefor, in denominations of not less than five hundred, nor more than one thousand dollars, payable in not less than one nor more than five years from their date, bearing interest at not to exceed the rate of six per cent. per annum, payable annually or semi-annually, and the city council of said city of Columbus shall levy, annually, on all the property in said city a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed May 1, 1885.

[Senate Bill No. 528.]

AN ACT

To authorize the commissioners of Pickaway county to build a bridge across Hargus creek, in the city of Circleville.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway county be and they are hereby authorized and empowered to build a bridge across Hargus creek, on Court street, in the city of Circleville, in said county, and levy a tax therefor, not exceeding one-half mill on the dollar annually, for not more than four years, in addition to the levy for bridge purposes, now authorized to be levied upon all of the taxable property of the county.

SEC. 2. That the said commissioners are further authorized, in anticipation of the collection of the tax authorized to be levied for the purpose of building said bridge, to issue the bonds of the county, in such denominations and for such length of time, not exceeding four years, as said commissioners may determine; said bonds to bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be sold as provided by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed May 1, 1885.

[House Bill No. 697.]

AN ACT

To amend an act entitled "an act to amend an act to provide for the construction, improvement, and maintenance of roads and highways in the county of Morgan, Ohio," passed March 27, 1884, (O. L. p. 290).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees in each township in the county of Morgan shall, within twenty days after the first Monday in April, 1885, divide their respective townships into

road districts, and annually thereafter may make any alterations they may deem proper in such road districts. They shall cause a description of the districts so made or altered to be entered in the township record; after such division or alteration they shall appoint one supervisor of roads for each district so constructed, who shall be a resident of such road district and not related to either of the trustees making such appointment. Each road district shall contain not less than four and one-half square miles nor more than twenty-five square miles of territory; provided, each township shall constitute at least one road district, and shall designate the number of constables to be elected for their townships and give notice of their election.

SEC. 2. The trustees of the several townships in the said county of Morgan shall, on or before May 15, 1885, and annually thereafter, levy on the taxable property of their respective townships, for the purpose of opening, grading, improving, and repairing the roads and highways of such township, one and one-half mills upon the dollar valuation in such township, and the trustees shall certify such levy to the county auditor in writing, on or before the fifteenth day of May in each year, and in default of such levy, the county commissioners shall make and certify such levy. The county auditor shall assess the same on the taxable property of such township, and the same shall be collected as other taxes. All road taxes so levied and collected shall be paid by the county treasurer to the treasurer of the township from which the same has been collected, and shall be paid out as hereinafter provided.

SEC. 3. Each supervisor so appointed shall, before entering upon the discharge of his duties, execute a bond with surety in the sum of five hundred dollars, payable to the township trustees for the use of the roads, and to be approved by them, conditioned that he will honestly and faithfully perform his duties as such supervisor, and shall take an oath of office, which bond shall be deposited with the township clerk. Such supervisors shall each receive such sum as the trustees may fix, not exceeding one dollar and seventy-five cents per day for time actually and necessarily employed in the discharge of their duties. Each supervisor shall keep an account of the date and time employed, and shall make an itemized statement of such account, and present the same to the township trustees at regular meetings for approval, and such account, when approved in writing by the trustees, shall be a voucher for the clerk to draw his order upon the township treasury for the amount thereof in favor of such supervisors, and the same shall be paid out of the township road fund of such township, and the supervisors shall be subject to the same penalties and governed by law now in force, except as herein expressly provided otherwise.

SEC. 4. The trustees shall control the supervisors as to the time, amount of money to be expended, and place and manner of performing all work and making all improvements on the roads of their respective townships; but the supervisor shall have the immediate supervision of the work and workmen in their respective districts. He shall give to each workman employed a certificate, showing the time, kind of labor performed and price per day, and also the items and price of materials furnished or purchased under the direction of the trustees, which certificate, when approved by the trustees of the township, shall constitute a voucher for the clerk to draw an order upon the township treasurer for the amount thereof in favor of the holder. Each supervisor shall keep an account, in a book to be provided by the township trustees, of all certificates issued by him, containing the items of each certificate, and such supervisor shall, at the regular meetings of the trustees, furnish transcripts of such records to the trustees, who shall compare the same with the orders issued by the clerk, and discrepancies, if any, shall be adjusted. Any supervisor may be removed

at any time by the trustees in regular session, and the vacancy filled by the appointment of some other person.

SEC. 5. The county commissioners of the said county of Morgan may, in their discretion, on or before June 10, in 1885, and annually thereafter, levy on the taxable property of the county, not to exceed one mill on the dollar valuation, in addition to all other taxes allowed by law, for the purpose of opening, grading and improving the roads and highways of the county, and the amount of such levy shall be placed on the tax duplicate by the county auditor, and shall be collected as other taxes, and shall constitute a "county road fund," to be expended by and under the direction of the county commissioners, upon such roads of the county and in such manner as they may deem best.

SEC. 6. The two days' work required by law to be performed upon the roads and highways shall be performed under the direction of the trustees and supervisors in this act authorized. The trustees of said several townships may anticipate one-half the tax herein authorized to be levied in their townships by the issue of bonds of such township, payable in six months, with interest from date of issue, in denominations not less than ten nor more than one hundred dollars, which shall be sold at not less than their par value, and the proceeds applied to the roads, as in this act contemplated.

SEC. 7. The provisions of this act within the limits of said Morgan county shall be in lieu of sections 1457, 1459, 2829, 2830, 4738, 4739, 4755, 4756 and 4757 of the Revised Statutes of Ohio, and the amendments thereto, and the same are by this act rendered inoperative in the said county of Morgan, and all other acts or parts of acts which are inconsistent with this act, or in conflict with this act, are by this act superseded within the limits of said county of Morgan. All other acts, laws or statutes, or parts thereof, not excepted herein, are in as full force in said county as though this act had not been passed.

The authority of the county commissioners of said county of Morgan to levy taxes for road purposes by virtue of the authority in sections 2822 and 2824 of the Revised Statutes of Ohio, is by this act superseded and annulled.

SEC. 8. Any trustee or supervisor who shall willfully neglect or violate the provisions of this law, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

SEC. 9. That the said original act be and the same is hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[Senate Bill No. 541.]

AN ACT

To authorize the council of the incorporated village of Carthage, in Hamilton county, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Carthage, Hamilton county, Ohio, be and they are hereby authorized to issue bonds for general improvement, not to exceed in amount the sum of five thousand (\$5,000.00) dollars. Said bonds*

to be issued in such denominations as council may provide, payable in not to exceed fifteen (15) years from the date of their issuance, and to bear interest from date, at a rate not to exceed six (6) per cent. per annum, payable semi-annually. Said bonds shall be sold according to law.

SEC. 2. This act shall take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 2, 1885.

[Senate Bill No. 543.]

AN ACT

To authorize and empower the township of Jefferson, and the village of Warsaw, in the county of Coshocton, Ohio, to erect a public building or town hall for the joint use of said township and village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Jefferson and the village of Warsaw, in the county of Coshocton, Ohio, be and they are hereby authorized and empowered to jointly erect, for the joint use of said township and village, a public building or town hall; provided, the cost of erecting and furnishing the same shall not exceed the sum of thirty-five hundred dollars. And the trustees of said township of Jefferson, and the council of said village of Warsaw are authorized to enter into a contract as to the terms upon which they will jointly erect said structure, how much said township and said village shall respectively contribute towards the erection of said building, and the terms upon which they shall jointly own and use the same; and they shall also jointly let the contract for the erection of the same, and both of said contracts shall be recorded by the clerks of said township and said village in their respective records.

SEC. 2. To enable the trustees of said township of Jefferson and the council of said village of Warsaw to carry out the provisions of this act, and pay for the erection of said structure, they are hereby authorized and empowered to levy a tax on all the taxable property in said township and village respectively, but not to exceed in the aggregate amount so levied by both said township and village, the sum of thirty-five hundred dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate..

Passed May 2, 1885.

[Senate Bill No. 515.]

AN ACT

To provide for ascertaining the value of improvements constructed by John Hole, deceased, and William H. Beery, under the provisions of certain leases held and owned by them.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of public works of the state of Ohio be and they are hereby authorized and required to determine the value of all improvements constructed by John Hole, deceased, and William H. Beery, under and by virtue of certain leases held and owned by them respectively, in which leases the said state of Ohio is the lessor, and said John Hole and William H. Beery are lessees by duly authorized assignment, said leases bearing date, respectively, the 27th and 29th days of June, 1853.

SEC. 2. Said board of public works shall, for the purpose of determining the value of said improvements, proceed to appoint one appraiser, the said lessees shall appoint one appraiser, and the two thus appointed shall select a third appraiser, which said appraisers so appointed shall, upon oath and actual view of the said improvements, appraise the same at the true value thereof in money, and make their report to the said board of public works, in writing, within three months from the date of their appointment, which shall be filed by said board of public works in their office.

SEC. 3. This act shall take effect from its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 2, 1885.

[House Bill No. 1154.]

AN ACT

To define the boundaries of sub school district number one, in Liberty township, Highland county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the boundaries as they now exist of sub-school district number one, in Liberty township, Highland county, Ohio, shall be and remain such, unless otherwise changed according to law, except that the farm now owned and used by the county for infirmary purposes shall not constitute or be a part of said sub-school district.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[Senate Bill No. 512.]

AN ACT

To authorize the county commissioners of Lucas county to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lucas county are hereby authorized to construct a court-house on the present site of the old court-house, at a cost not to exceed five hundred thousand dollars; and the contract or contracts for the same shall be let according to law.

SEC. 2. For the purpose of paying for the construction of the same, the commissioners are hereby authorized to issue the bonds of the county for a sum not exceeding five hundred thousand dollars, in denominations of not less than one hundred nor more than one thousand dollars each, and to bear a rate of interest not exceeding five per centum per annum, the interest payable semi-annually. The bonds hereby authorized shall be made payable at any time within fifty years of the date thereof, at the discretion of the commissioners. They shall be issued, signed and sold according to law.

SEC. 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy, annually, on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SEC. 4. That this act shall take effect on and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 2, 1885.

[House Bill No. 1152.]

AN ACT

To authorize The Zaleski Company to surrender certain leases of ministerial lands.

WHEREAS, The Zaleski Company, a corporation duly organized under the laws of Ohio, and doing business within said state, on April 27, 1857, became the owner by deed of certain leases, for the term of ninety-nine years, renewable forever, upon the following lands situate in Vinton county, Ohio, to-wit: Two hundred and six acres off the west side of section number twenty-nine (29), township number ten (10), range number sixteen (16), Ohio company's purchase; and also the following tract, to-wit: *Commencing at the southeast corner of the above described tract; thence north 80 rods to a hickory; thence west to the east line of the above described tract; thence east 164 rods to a white oak, thence north 80 rods to a hickory, thence west to the east line of the above described tract; thence south to the place of beginning, containing 82 acres, and both tracts containing in the aggregate 285 acres, and being what are known as ministerial lands; and

WHEREAS, A vote of the township, wherein said lands are situated, has been taken, resulting in favor of the sale of said lands; and

WHEREAS, A portion of said land was laid off in town lots, and became, and now is, a portion of the town of Zaleski, Ohio; and

WHEREAS, Many of said town lots, and a large portion of said lands not laid off into town lots, have been sold for full fee value to purchasers thereof,

* The description which follows is copied from the original rolls filed in the office of the Secretary of State. In the bill as it passed both Houses this description read thus: "Commencing at the southeast corner of the above described tract; thence east 164 rods to a white oak; thence north 80 rods to a hickory; thence west to the east line of the above described tract; thence south to the place of beginning, containing 82 acres," etc.

to whom (with a few inconsiderable exceptions) said The Zaleski Company executed conveyances, with covenants of seizin, and of general warranty; and

WHEREAS, The said The Zaleski Company is desirous of surrendering [said leases, and acquiring] the title in fee to said lands for the purpose of perfecting the title of its said warranties,* and of itself to the unconveyed residue of said lands; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said "The Zaleski Company" in addition to the powers conferred by section 1427 of the Revised Statutes of Ohio, be and it is hereby authorized and empowered, with the consent of its warranties* as aforesaid and the trustees of original surveyed township number ten, range number sixteen, Ohio Company's purchase, to file its petition in the court of common pleas in and for Vinton county, Ohio, setting forth a description of the premises held by said leases, the dates of said leases, to whom made; the present ownership of the various tracts or parcels of said lands; the character of the deed from the said The Zaleski Company, under which each parcel is held; that it (said Zaleski Company) is desirous of surrendering said leases, and becoming the owner thereof in fee, for the purposes in the preamble to this act set forth, and asking the court to appoint three disinterested freeholders of the county, and not resident of said township number ten, range number sixteen, to value the same, and the court upon being satisfied of the truth of the facts set forth in said petition shall appoint such appraisers, who shall proceed, under oath, to make a just valuation of the premises in money, without reference to the improvements made thereon, under and by reason of such leases, and shall return such valuation in writing to said court; and the court, if it is satisfied such valuation is just, shall confirm the same and order it, with the petition and other proceedings, to be recorded, whereupon said matters shall proceed as though said The Zaleski Company was the owner of the leases aforesaid, and when said leases are surrendered, and conveyance executed to the said The Zaleski Company such conveyance shall inure to the benefit of the owners of said land at the date of the execution of said conveyance.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1088.]

AN ACT

Authorizing the Governor of Ohio to re-convey certain canal lands abandoned by the state.

WHEREAS, William Nelson, on the 29th day of December, 1856, deeded to the state of Ohio that part of the Sandy and Beaver canal from where said canal forms a junction with the Ohio canal, at the town of Bolivar, Tuscarawas county, Ohio, to what is known as the slack water pool, created by the dam across Sandy creek, below the town of Sandyville, in said county, conditioned that the state should keep said canal forever in repair, and as a navigable canal; and

WHEREAS, The state of Ohio has failed to keep said canal, so deeded as aforesaid, in repair, and has abandoned the use of the same; and

* "Warranties" in the bill as it passed both Houses.

WHEREAS, The legal representatives of said William Nelson are now claiming a reversionary interest in said canal, by reason of the failure of the state to keep the same in repair, as aforesaid; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor of the state of Ohio is hereby authorized and directed to quit claim to the heirs of William Nelson and Hannah Nelson that portion of the Sandy and Beaver canal from the junction thereof with the Ohio canal at the town of Bolivar, in Tuscarawas county, Ohio, to the head of the slackwater pool, created by the dam across Sandy creek, below the town of Sandyville, in said Tuscarawas county; said deed, when so executed, to convey all the right, title and interest the state may have in said described premises to the said William Nelson and Hannah Nelson or their legal representatives.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1139.]

AN ACT

To authorize the county commissioners of Hocking county, Ohio, to pay the present sheriff of said county for extra expenses and services.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hocking county be and they are hereby authorized to allow and pay to Thomas F. McCarthy, such additional sum of money (not now authorized by law) as may seem to them just and proper, not to exceed one thousand dollars, however, for extra expenses and services lawfully rendered by said Thomas F. McCarthy, in said county, during the "Hocking Valley strike," as sheriff of said county.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1127.]

AN ACT

To authorize the commissioners of Lucas county to issue bonds to purchase cemetery grounds for the burying of indigent soldiers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lucas county are hereby authorized to issue bonds of said county, in an amount not to exceed twenty-five hundred dollars, to bear interest at a rate not to exceed six per centum per annum, payable annually, for the purpose of purchasing cemetery grounds for the burial of ex-soldiers who

may have to be buried under the provisions of the act of the general assembly of Ohio, passed April 11th, 1884; said bonds shall be payable, not to exceed two years after the issuing thereof, and shall not be sold for less than their par value; and said bonds shall be signed by the commissioners and countersigned by the auditor of Lucas county.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon, said commissioners are hereby authorized to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SEC. 3. The title to said cemetery grounds shall be vested in the commissioners of Lucas county.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1123.]

AN ACT

To amend an act entitled "an act to authorize the trustees of Amherst township and the council of the incorporated village of North Amherst, to erect a town hall and to borrow money in payment thereof."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of an act entitled "an act to authorize the trustees of Amherst township and the council of the incorporated village of North Amherst, to erect a town hall and to borrow money in payment thereof," passed April 14, 1884, be and the same is hereby amended so as to read as follows:

Section 2. Said trustees are hereby authorized to levy a tax upon all the taxable property in said township, which shall include all the taxable property in said incorporated village of North Amherst, and the council of said incorporated village is hereby authorized to levy a tax upon all the taxable property in said incorporated village, not exceeding four mills on a dollar in any one year, during a period of not exceeding seven years, commencing in the year 1884, for the purpose of providing the means with which to pay for said site and said hall and furnishing the same.

SEC. 2. Original section 2 of said act, passed April 14, 1884, is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1121.]

AN ACT

To authorize the trustees of Pike township, Perry county, Ohio, and the incorporated village of New Lexington, Perry county, Ohio, to issue bonds to build a cemetery vault and other improvements on cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Pike township, Perry county, and the town council of the village of New Lexington, Perry county, be and are hereby authorized and empowered to issue the bonds of said township and village in the sum of twelve hundred (\$1,200) dollars, in denominations of not less than one hundred dollars each, (\$100) bearing interest at six per cent. per annum, and made payable at such times as the said trustees and town council may, by resolution or ordinance, prescribe. Said bonds shall not be sold for less than par, and the proceeds arising from the sale thereof shall be used for the purpose of building a cemetery vault and other improvements in said cemetery lot and no other.

SEC. 2. Said trustees and village council shall annually hereafter cause the necessary taxes to be levied to pay the interest of said bonds and to pay principal thereof as the same shall become due, in the manner provided by law for the levying and collecting of taxes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1103.]

AN ACT

To authorize the board of education of the village school district of the incorporated village of Washington, Guernsey county, Ohio, to issue bonds and obtain money to pay for roofing school building and making other necessary repairs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the Washington village school district, in Washington, Guernsey county, Ohio, and the territory annexed thereto for school purposes, be and they are hereby authorized to issue bonds, not exceeding in amount eight hundred dollars (\$800) to raise money to pay off indebtedness incurred in roofing and repairing school building, and other necessary repairs; said bonds to be signed by the president and clerk of said board of education, and to be in sums of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), bearing interest at a rate not exceeding six (6) per cent. per annum, the principal and interest of said bonds to be payable as said board of education may direct, not exceeding five years from the time of issuing the same; provided, the said bonds shall not be sold for less than their par value.

SEC. 2. That for the purpose of paying said bonds and the interest thereon, as the same may become due, the said board of education is hereby authorized and empowered to levy a tax on the taxable property of said village school district of Washington, Guernsey county, Ohio, and the territory annexed thereto for school purposes, in such amounts, annually, commencing in the year eighteen hundred and eighty-two, as will be sufficient to pay the principal

and interest of said bonds as they may become due in each year, as said board of education shall determine.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1100.]

AN ACT

To authorize the commissioners of Clermont county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Clermont county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to wit:*

Beginning at a point in the free pike at the foot of Norris hill, thence up a branch in an easterly direction with the old road through the lands of John Buntin, Thomas Fletcher, C. C. Myers, Joseph and Hamilton Wood and John Rheout to Maple creek, thence up Maple creek by lands of Jacob Bolander, James Mefford, and Jane Clark to Charles Carr's, thence up the hill by way of Robert Richards, Weeley Weading, Elijah Merrott's, and through the lands of Eugene Turten, to intersect the Felicity and Chilo pike near the residence of T. C. Logan.

SEC. 2. In locating and laying out said road, the said county commissioners shall have power to locate the same upon the road or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same, or any part thereof, and shall have power to lay out, locate, and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio, for the appropriation of private property for public purposes and the payment of compensation therefor; said road shall be opened not more than sixty nor less than thirty feet wide.

SEC. 3. Said commissioners may, if they deem best, issue bonds for the construction of said road; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, interest payable semi-annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met at a levy of one-half of one mill on the dollar on the tax duplicate of said county.

SEC. 4. Said commissioners, before proceeding to construct said road, or any part thereof, shall require and secure from those interested in said improvement a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 5. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-half of one mill on the dollar, annually, on all taxable property in said county, in addition to taxes now authorized by law.

SEC. 6. That a majority of said board of county commissioners shall be

necessary at any regular session to agree upon specifications and order said improvement or any part thereof.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 696.]

AN ACT

Supplementary to an act entitled "an act to provide for the construction and completion of a bridge across the Scioto river, in Jackson township, Pike county, Ohio," passed April 2, 1884, (O. L. v. 81, p. 305.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the following be enacted as supplementary to section one of the aforesaid act, passed April 2, 1884, and shall be designated as section 1a:

Section 1a. That, in case the commissioners of said county shall deem it impracticable to construct and complete the bridge across the Scioto river at "Foster's Ferry," as provided by act passed April 2, 1884, they are hereby authorized to issue the bonds named in the act aforesaid, to pay balance on bridge purchased and for the purpose of building [and constructing a bridge across said river] at a point not more than one mile from its present location.

SEC. 2. This act to be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1029.]

AN ACT

To authorize the board of education of the city of Akron, in the county of Summit, and State of Ohio, to levy a tax in addition to that now authorized by law, for the purpose of erecting school-houses in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education of the city of Akron, in the county of Summit, Ohio, be and is hereby authorized to levy upon all the taxable property of said city of Akron school district for the years 1885, 1886, 1887 and 1888, for the purpose of erecting school-houses and making improvements on grounds, not exceeding two mills on the dollar valuation, in addition to the taxes now authorized by law.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 719]

AN ACT

To authorize and require the commissioners of Hamilton county to open, grade and macadamize roads from the Montgomery pike to the Reading road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county are authorized and required, as hereafter provided, to lay out, open, grade, and macadamize a road commencing at what is known as Williams avenue, on the west side of the Montgomery pike, and running thence westwardly by the shortest and best route (crossing Glen Lyon avenue at or near to the north end thereof) to the Reading road; also to open, grade, and macadamize a road commencing at what is known as North Side avenue, on the west side of the Montgomery pike, and running thence westwardly by the shortest and best route to Clinton street, on the east side of Reading road, and to pay the cost of said road out of any unexpended balance in the road fund of said county. Provided, that no part of the money appropriated shall be applied in the purchase of to exceed five hundred feet of the right of way.

SEC. 2. That when a petition signed by a third of the property holders along the line of said road shall be presented to the commissioners of said county praying for its opening, the commissioners shall cause a survey of the same, prepare an estimate of its cost, and the work, after due notice, shall be let to the lowest responsible bidder, as provided by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 2, 1885.

[House Bill No. 1000.]

AN ACT

To create a village school district in Bloom township, Fairfield county, Ohio, and in Madison township, Franklin county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory comprised in Bloom township, in Fairfield county, Ohio, and in Madison township, Franklin county, Ohio, described and bounded as follows, to-wit: Beginning at the northwest corner of L. M. Broomhall's land, in section 6, township 14, range 20, in Fairfield county; thence east to the northeast corner of Broomhall's land; thence south to the half section line in said section 6; thence east along said line to a stone on Geo. W. Beck's land; thence south to section line between sections 5 and 8, in township 14, in said Fairfield county; thence east to the Waterloo road; thence south along said road and said half section line, in said section 8, to half section line; thence east along half section line, in said section 8, to the section line between sections 8 and 9, in said township 14; thence south along said section line to the Carroll road; thence west along said road and section line to the half section line; thence south along the half section line in section 17, in said township 14, to center of said section 17; thence west along said half section line, across sections 17 and 18, in said township 14, to the county line between

Fairfield and Pickaway counties; thence north along said county line to the line between Franklin and Pickaway counties; thence west along said last line to the southwest corner of S. W. Blackwood's land, in section 12, Madison township, in Franklin county, Ohio; thence north to the northwest corner of said Blackwood's land; thence east to the county line between Franklin and Fairfield counties; thence north along said county line to the place of beginning; be and the same is hereby created and declared to be and to constitute a school district, to be known as the Lithopolis village school district.

SEC. 2. Such village school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school house and incidental expenses, in accordance with the enumeration of the year 1884 of children who are entitled to attend school; said funds being those now collected, within the county or township treasuries, and shall be governed by such laws as now are, or may hereafter be, in force, relating to village school districts.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No 1020.]

AN ACT

To authorize the commissioners of Pike county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Pike county hereby are authorized, when in their judgment the best interests of the public requires, and the resident land owners along the route of road hereinafter named, shall secure to the county all the right of way, and all the earth, gravel and stone necessary to the construction of said road, free of costs and expense to the county, to construct a free turnpike, and for such purpose they are authorized to employ a competent engineer or superintendent, to superintend the building of the same, at a compensation not to exceed three (3) dollars per day for the time necessarily engaged on said work, and along the following routes: First route—Beginning at the village of Buchanan, in said county, thence by the most practicable route to the village of Morgantown, in said county, from thence to what is known as the McFerren farm, thence to Cynthiana, or to a point at the Cynthiana and Sinking Springs turnpike, where the Mels'n and Ferneau road intersects said pike. Second route—Beginning at a point in the Buchanan and Cynthiana road in the township of Perry, in said county, by the shortest and most practicable route to a point in the Cynthiana and Bainbridge pike, near what is known as Jones' chapel.

SEC. 2. That for the purpose of building said roads, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build said roads, to issue the bonds of said county, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best,

to bear interest at a rate not greater than six per cent., and which bonds shall be sold according to law.

SEC. 3. That to pay said bonds and the interest thereon, as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

SEC. 4. That in performing the duties required of the commissioners under this act, all duties not herein expressly set forth, shall be governed by the general laws of the state regulating the building of free turnpikes.

SEC. 5. This act to take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1170.]

AN ACT

To authorize the board of education of Bellevue, in Huron and Sandusky counties, Ohio, and of territory attached thereto for school purposes, to borrow money and issue bonds for the purpose of building an additional school-house and furnishing the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Bellevue, in Huron and Sandusky counties, Ohio, and of territory attached thereto for school purposes, be and the same is hereby authorized and empowered, for the purpose of building an additional school-house and furnishing the same, to borrow any sum of money not exceeding five thousand dollars.

SEC. 2. That for the purpose aforesaid, the said board is authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than fifty dollars and not exceeding five hundred dollars, bearing interest at a rate not exceeding six per centum, payable semi-annually. Said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said board may determine. Said bonds shall not be sold for less than their par value, and said bonds shall have interest coupons attached.

SEC. 3. That for the purpose of paying the principal and interest of said bonds, said board of education is hereby empowered and authorized to levy, annually, on all the taxable property of said village and territory attached thereto for school purposes, a tax not exceeding one mill on the dollar of the valuation of the taxable property within said district for ten years, in addition to the levy now authorized by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1124.]

AN ACT

To amend an act entitled "an act to divide Berkshire township, Delaware county, Ohio, into two election precincts," passed April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* Berkshire township, Delaware county, Ohio, be and the same is hereby divided into three election precincts, as follows: The first shall be called Sunbury precinct, and shall comprise all of the northeast quarter of said township, also all that part of the southeast quarter of said township, which is included in the Sunbury special school district. The second commencing at the southeast corner of the township, thence north on east line to the south line of Sunbury precinct; thence west on south line of said precinct; thence north on line of said precinct to section line of township running east and west, thence west on said section line to the section line running north and south; thence south on said section line to south line of G. B. Carpenter's farm; thence west to the road leading from Rome Corners to Cheshire; thence on said road west to the west township line; thence south on west township line to south line of township; thence east on south township line to the point of beginning. This shall be known as Galena precinct. The third shall consist of all the balance of said township, and shall be known as the Berkshire precinct.

SEC. 2. That the original act to which this is amendatory be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 444.]

AN ACT

To authorize the commissioners of Miami county to refund to certain tax-payers specified therein an excessive assessment and collection of free pike tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Miami county are hereby authorized to refund out of the contingent fund of said county to the tax-payers who were assessed for the purpose of building the Piqua and Stillwater free pike, two thousand seven hundred and ninety-five dollars (\$2,795), the amount of excessive assessment and collection of tax from said tax-payers for the said road in the years 1872, 1873, 1874, 1875, 1876 and 1877.

SEC. 2. The auditor of Miami county is required to make a proper distribution of the amount named in the first section of this act to the persons entitled to the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 499.]

AN ACT

To authorize the commissioners of Hamilton county to provide for the completing of an avenue known as Columbia avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized and directed to issue bonds for the purpose of completing Columbia avenue from Martin street eastwardly to Kemper lane, not exceeding in amount the sum of thirty thousand dollars. Said bonds may be in denominations of not less than one hundred nor more than one thousand dollars, bearing interest not exceeding five per centum per annum, payable semi-annually, and redeemable at such times as said commissioners may determine, but not exceeding ten years from the date thereof, and which shall not be sold for less than their par value; and for the purpose of paying the interest on said bonds, and the principal of the same as they shall become due, there shall be levied annually a sufficient tax upon all the taxable property in said county, in addition to the taxes now by law authorized to be levied thereon.

SEC. 2. The money arising from the sale of said bonds shall be expended by and under the direction of the board of public works of said city for the purpose of grading, macadamizing and completing said avenue, and for no other purpose whatsoever, nor shall any part of said money be transferred to any other fund, or be diverted from the object expressed herein.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 501.]

AN ACT

To authorize the permanent transfer of the balance of the Park sinking fund of College Hill to the street improvement fund of said College Hill.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of College Hill, Hamilton county, Ohio, be and the same is hereby authorized to permanently transfer the balance of the Park sinking fund, amounting to the sum of six hundred and fifty-two (\$652) and 98-100 dollars to the street improvement fund of said incorporated village of College Hill.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 503.]

AN ACT

To authorize the township trustees of Youngstown [township], Mahoning county, to borrow money for the poor fund of said township, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the township trustees of Youngstown township, Mahoning county, be and they are hereby authorized to borrow the sum of four thousand dollars for the poor fund of said township, and for other purposes, and to issue the bonds of said township therefor, payable one-fourth in one year, one-fourth in two years, and one-half in three years, which bonds shall bear a rate of interest not exceeding six per cent., payable annually, and shall be sold at not less than their par value.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 516.]

AN ACT

To provide for the acceptance and recording of plats of the village of Smithville, Wayne county, Ohio.

WHEREAS, The territory comprising the village of Smithville, Wayne county, Ohio, having been laid out in lots with the necessary streets and alleys, and platted by different persons, owners of the land, and several of said plats, including the original plat of said village not having been acknowledged and recorded as required by law, and all or nearly all of such persons and owners making said plats, having since deceased; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the following described territory in said Wayne county, being a part of sections seventeen (17), eighteen (18), nineteen (19), and twenty (20) in township seventeen (17), of range twelve (12), and contained within the following boundaries: Beginning at the center corner of the aforesaid section eighteen (18), thence running south $\frac{1}{4}$ degree, west twenty-three (23) chains and ninety-three links to the center of Mill street; thence south $23\frac{3}{4}$ degrees east, twenty-eight (28) chains and twenty-eight links to a corner in the center of Main street; thence north forty-eight (48) degrees east, along the center of said Main street five chains and two links to a corner in the center of said Main street; thence south $22\frac{1}{2}$ degrees east, fourteen chains and sixty links to a stone corner; thence south eighty-nine degrees east, thirty-three chains and eighty-five links to a stone corner; thence north $\frac{1}{4}$ degree east, nineteen chains and thirty-four links to a corner in the south line of Center street; thence north $87\frac{1}{4}$ degrees east, forty three chains and eighty links, along the south line of said Center street to a stone corner in said south line of said Center street; thence north $1\frac{1}{4}$ degree west, forty chains and eighty-seven links to a stone corner in the quarter section line; thence north $87\frac{3}{4}$ degrees east, on said quarter section line, three chains to a stone corner in said quarter section line; thence north $17\frac{1}{2}$ degrees west ten (10) chains and eighty-four (84) links to a stone corner; thence north thirty-seven (37) degrees west, ten*

(10) chains and fifty (50) links to a stone corner in the center of the aforesaid Main street; thence north thirty-seven (37) degrees, sixty-four (64) chains and twenty-seven links to a stone corner; thence west forty-eight (48) chains and forty-four (44) links to a stone corner in the center of Summit street; thence south eighty-nine (89) degrees west, forty chains and fifty-seven (57) links, to a corner in the quarter section line in the aforesaid section eighteen (18); thence south twenty-two (22) chains and fifty and one-half ($50\frac{1}{2}$) links to the place of beginning as heretofore platted, with streets and alleys dedicated to public use, be and the same is hereby declared the legal plat of said village of Smithville, Wayne county, and shall have the same force and effect in law, and be accepted for record as though the same had been acknowledged and recorded during the lifetime of the owners of said land and makers of said plats; but nothing herein contained shall be construed so as to annex any additional territory to the original town plats of said village of Smithville.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 527.]

AN ACT

To authorize the trustees of Liberty township, Clinton county, Ohio, to sell a certain piece of land herein named, and use the proceeds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Liberty township, Clinton county, Ohio, be and they are hereby authorized to sell 1.33 acres of land heretofore purchased by them for cemetery purposes, and invest the proceeds arising from said sale in part payment of other lands, purchased for same purpose.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem of the Senate.

Passed May 4, 1885.

[Senate Bill No. 535.]

AN ACT

To authorize the county commissioners of Licking county, Ohio, to issue bonds and levy a tax for the purpose of purchasing a site and erecting buildings thereon for a children's home for said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Licking county be and they are hereby authorized to borrow money, not to exceed the sum of twenty thousand dollars, for the

purpose of purchasing a site and erecting buildings thereon for a children's home for said county.

SEC. 2. For the purpose of paying the amount mentioned in the first section of this act, said commissioners are authorized to issue the bonds of the said county, for said county, for said amount, in such denominations and payable at such times, as said commissioners may determine. Said bonds shall bear interest at a rate of six per centum per annum, and shall not be sold for less than their par value.

SEC. 3. For the purpose of paying said bonds, as the same shall mature, said county commissioners are hereby authorized to levy a tax, in addition to the taxes now authorized by law, upon all the property of the grand duplicate of said county.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[Senate Bill No. 536.]

AN ACT

To authorize the commissioners of Pickaway county, Ohio, to build a jail, or jailor's residence, or to remodel the court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pickaway county be and they are hereby authorized and empowered to purchase a suitable site, and build thereon a substantial jail, or jailor's residence, or both, as they may think necessary, according to such plans and specifications as they may determine upon; or if said commissioners deem it more expedient and practicable to remodel the court-house, build additions thereto, provide suitable rooms therein for the residence of the jailor, and to remodel, repair, and properly ventilate the jail now therein, instead of purchasing said site, and building thereon a jail, or jailor's residence, or both, as hereinbefore provided, then said commissioners be and they are hereby authorized and empowered to remodel the court-house, build additions thereto, provide suitable rooms therein for the residence of the jailor, and remodel, repair, and properly ventilate the jail now therein.

SEC. 2. For the purpose of raising the money necessary to meet the expense of the improvement or improvements hereinbefore provided for, the commissioners of the county may issue the bonds of the county, payable in installments, or at intervals, not exceeding in all, the period of six years, bearing interest at the rate not to exceed six per cent. per annum, payable semi-annually, which bonds shall be sold as provided by law; the levy to be divided in such manner so as to meet the payment of principal and interest of said bonds.

SEC. 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of said Pickaway county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued, when made payable, date, and when redeemable.

SEC. 4. For the purpose of paying the interest and principal of said bonds said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax for six years, upon all the taxable

property of said Pickaway county, not to exceed five-tenths of a mill each year, upon each dollar's valuation thereof.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[Senate Bill No. 525.]

AN ACT

To authorize the incorporated village of Elmore, Ottawa county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the council of the incorporated village of Elmore, Ottawa county, Ohio, be and the same is hereby authorized to issue bonds, not exceeding in amount the sum of eighteen hundred dollars (\$1,800), the proceeds of which bonds shall be used in the payment of an existing indebtedness, incurred in building a town hall, and for the purpose of furnishing said town hall.

SEC. 2. Said bonds shall be payable at such times, not exceeding four (4) years, from the respective dates thereof, as said council may determine; they shall bear interest at a rate not exceeding six per centum per annum; they shall not be sold for less than their par value, and shall be issued and sold according to law.

SEC. 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized to levy a tax on all the taxable property of said village, not exceeding three mills on the dollar, in any one year, which levy shall be placed on the duplicate by the auditor of said county, and collected as other taxes.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1172.]

AN ACT

To authorize the school board of Liberty Center to build a school-house, and issue bonds to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education in the union school district, in Liberty Center, Henry county, Ohio, be and are hereby authorized to build a school-house in Liberty Center, Henry county, not to exceed a cost of six thousand dollars; and said school board are hereby authorized to issue bonds for payment of said school-house; said bonds shall bear six per cent. interest per annum, said interest

payable semi-annually, at Liberty Center, Ohio, and said bonds shall not be sold for less than their par value, and they shall be signed by the president of said school board and attested by the clerk.

SEC. 2. That for the payment of said bonds, as they shall become due, said school board are hereby further authorized to levy a special tax, not to exceed five mills on the dollar, of all taxable property in said union school district.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1884.

[House Bill No. 1171.]

AN ACT

To authorize the building of a school-house in sub-district No. 3, Monroe township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Monroe township, Henry county, Ohio, be and are hereby authorized to build a school-house in sub-district No. 3, in said township.*

SEC. 2. That for defraying expenses in the construction of said school-house said board of education is hereby authorized to issue bonds not to exceed one thousand dollars (\$1,000), which shall run not to exceed five years from the date thereof, and for payment of the same, they are further authorized to levy a special tax not exceeding two mills on the dollar of all taxable property in said township.

SEC. 3. Said bonds shall bear six per cent. interest, interest payable semi-annually, and they shall not be sold for less than their par value, and they shall be signed by the president of said board of education, and attested by the township clerk of said township.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1169.]

AN ACT

To provide for changing the boundary lines of election precinct No. 3, Washington township, Lucas county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the boundary lines of election precinct No. 3, Washington township, Lucas county, Ohio, be and are hereby changed so as to include all lands contained within the following described lines: Commencing on the west line of said township, at the northwest corner of section 18; thence east on the north line of section 18 and section 17 to the north one-quarter post of section 17; thence*

south on the center line of section 17 and section 20, to the center of section 20; thence east on the center lines of sections 20, 21, 22 and 23, to the corporation line of the city of Toledo, in Lucas county, Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed May 4, 1885.

[House Bill No. 1168.]

AN ACT

To transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of LaRue, Marion county, Ohio, be and the same is hereby authorized to transfer \$150.00 from the police fund of said village to the general fund of said village; and to transfer \$150.00 from the police fund of said village to the road fund of said village.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed May 4, 1885.

[House Bill No. 1155.]

AN ACT

To authorize and empower the council of the village of South Charleston, Clarke county, Ohio, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of South Charleston, of Clarke county, Ohio, be and it is hereby authorized and empowered to issue not exceeding three thousand dollars (\$3,000), in denominations not less than one hundred dollars (\$100), and running any length of time, not exceeding five years, and at a rate of interest not exceeding six per centum per annum, payable annually, interest and principal payable at the office of the village treasurer. Said bonds to be issued, advertised and sold according to law.

SEC. 2. The proceeds of said bonds or so much thereof as may be necessary, shall be applied by said council as follows: Fifteen hundred dollars to pay existing liabilities of said village; one thousand dollars for the improvement of streets and alleys, and five hundred dollars to be paid to the general expense fund of said village.

SEC. 3. Said council may levy a tax on all the taxable property of said village, in addition to what it is now authorized by law to levy, sufficient to meet the annual interest on said bonds, and pay the principal thereof, as the same falls due.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed May 4, 1885.

[House Bill No. 1138.]

AN ACT

To establish election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That a conjoint election precinct be formed out of territory belonging to the townships of Paint and Sugar Creek, in Wayne county, state of Ohio, in manner as hereinafter described, for presidential, state, county and township elections.*

SEC. 2. The sections in Sugar Creek township, numbered twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-three, thirty-four, thirty-five, and thirty-six, of said Sugar Creek township, and sections one, two, three, four, and the northern half of sections ten and eleven, and all of section twelve in said Paint township, shall constitute said election precinct, to be known and designated as the conjoint election precinct of Sugar Creek and Paint township, Wayne county, Ohio.

SEC. 3. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1021.]

AN ACT

To authorize the trustees of Whitewater township, Hamilton county, to sell certain property, and purchase other property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Whitewater township, Hamilton county, be and they are hereby authorized to sell at public auction, after due notice given by advertising in some newspaper of general circulation in said county for five consecutive weeks of the terms of sale, the township house and grounds, situate in the central part of said township, to be paid for in three equal payments, one third being cash, and deferred payments to be secured by mortgage on the premises sold, and to convey the same to the purchaser by a good and sufficient deed of general warranty.*

SEC. 2. The trustees are authorized and directed to expend the money obtained from the sale of the property described in section one of this act, in the purchase of suitable township hall property at Miamitown, in the northern precinct of said township; provided, the cost of such township hall property shall not exceed the amount realized from said sale by more than five hundred dollars, and said trustees shall levy upon the grand duplicate of said township a sufficient amount to pay any such excess, not exceeding said amount of five hundred dollars, and to take for said township the fee of any such property.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 833.*]

AN ACT

To amend an act entitled "an act authorizing the trustees of Miami township, Hamilton county, to make a special levy for road purposes," passed April 3, 1884, (81 O. L. 308).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That said act, passed April 3, 1884, (81 O. L. 308), be amend to read as follows:*

Section 1. That the trustees of Miami township, Hamilton county, are hereby authorized and empowered, for the purpose of improving and repairing the public roads of said township, to all money paid or that may hereafter be paid under the provisions of said original act passed April 3, 1884, (81, O. L. 308), the levy shall be collected and paid as other taxes and returned to the treasury of said township, and expended under the sole direction, supervision and control of the township trustees, by sale of jobs or contracts for the construction or repair of the roads in sections, let to the lowest responsible bidder after ten days' notice, by publication in some newspaper of general circulation in said township, or otherwise by posting bills or written notices. Said contractors to execute a sufficient bond, payable to said trustees, conditioned upon the faithful and punctual performance of said contract.

SEC. 2. Provided nothing herein shall be so construed as to prevent the collection of all the tax heretofore levied under the provisions of said original act and otherwise. Said original act is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1014.]

AN ACT

To authorize the commissioners of Hamilton county to investigate certain claims of Wm. Rybolt in relation to Hays' avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Hamilton county are authorized and directed to investigate the claims of William Rybolt against said county for damages paid in the matter of the Hays' avenue improvement in Green township of said county, as follows:*

| | |
|------------------------|----------|
| To Emma St. Clair..... | \$300 00 |
| To Charles Miller..... | 75 00 |
| To Henry Steinman .. | 9 00 |
| To Thomas Carol | 15 00 |
| To Edward Winters..... | 8 00 |
| To attorney fees..... | 455 00 |

And if said commissioners shall find that said William Rybolt has any just or reasonable claim in said matter against said county, they shall order the same

*This act is printed precisely as it passed.

paid from the road fund of said county, and from said finding of the county commissioners said William Rybolt shall have the right of an appeal to the court of common pleas of said county, where said matter shall be fully heard as to the law and the facts as in other cases, and the length of time that has elapsed since the maturity of said claim shall be no bar to said hearing or appeal.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1056.]

AN ACT

For the relief of the Enterprise Carriage Manufacturing Company, of Cincinnati.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the auditor of Hamilton county be and he is hereby authorized and directed to draw a warrant on the treasurer of said county for the sum of two hundred and fifty-two dollars and eighty cents (\$252.80) in favor of the Enterprise Carriage Manufacturing Company, of Cincinnati, being the value of lumber, carriage material and frames taken by the state authorities during the riot in Cincinnati for the purpose of forming barricades around the Hamilton county court-house and jail.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1059.]

AN ACT

For the relief of A. M. Russell, ex-treasurer of Wood county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the county commissioners of Wood county, Ohio, are hereby authorized to refund to A. M. Russell, ex-treasurer of said county, the sum of one hundred and twelve dollars and ninety-five cents (\$112.95), by him lost as aforesaid.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1158.]

AN ACT

To provide for the transfer and expenditure of certain funds and unexpended balances therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Hamilton county are hereby authorized and directed to transfer, for the purpose of repairing, improving, grading and macadamizing the roads named in section two of this act, and in the order therein named, from the following funds, viz.:*

1st. There shall be transferred from the Hillside avenue improvement fund the sum of five thousand dollars.

2d. There shall be transferred from the Cooper and Cornell county road fund, the Union Levee fund, the California bridge fund, the Red Bank bridge fund, Symmes creek bridge fund, the Groesbeck road fund, the Paddy's run bridge fund, and the Glenway avenue fund any and all unexpended balances that may be left in said funds after the completion of said improvements.

SEC. 2. 1st. The road along the west bank of the Gt. Miami river, leading from the village of Cleves to the Cincinnati and Harrison turnpike, upon which improvement there shall be spent not less than three thousand dollars.

2d. The Jordan road, leading from the Cleves and Bridgetown turnpike to and down Jordan creek, upon which improvement there shall be spent not less than two thousand dollars.

3d. The Blue Bank road, leading from Radcliff's mills, in Colerain township, to the county road, on the lands of Martin Bevis, upon which there shall be spent not more than two thousand dollars.

4th. The Flemming road, in Springfield township, leading from the Springfield and Carthage turnpike to the Winton road, upon which improvement there shall be spent not more than three thousand dollars.

5th. The Badgely road, in Millcreek township, leading from the Hamilton pike to the Colerain pike, upon which improvement there shall be expended not more than one thousand dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1162.]

AN ACT

To authorize the board of education of the special school district of Oak Harbor, in the county of Ottawa, Ohio, to levy [an] additional tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of education of Oak Harbor special school district of Ottawa county, Ohio, be and they are hereby authorized and empowered for five successive years, after the passage of this act, to levy a tax not exceeding three mills on the dollar, each year, on all the taxable property of said special school district, in addition to all levies now authorized by law, said tax to be used for general*

school purposes, and levied and collected in the same manner as taxes for the common school fund are levied and collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

[House Bill No. 1125.]

AN ACT

For the relief of the father and mother of Emil Kern, late a private in Company A, 8th regiment, O. N. G.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the treasurer of the state be and he is hereby authorized and required to pay to William Kern, father of Emil Kern, late a private in company A, 8th regiment, Ohio national guards, living at Bucyrus, Crawford county, Ohio, out of any money in the treasury to the credit of the general revenue fund not otherwise appropriated, the sum of eight hundred dollars (\$800.00), which sum shall be in full liquidation and payment to said William Kern, for the loss of his said minor son, through disease contracted while in the line of his duty as a member of the Ohio national guard in the Hocking valley.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1156.]

AN ACT

To authorize the trustees of Troy township, Delaware county, to levy a tax to build or purchase a township hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Troy township, Delaware county, Ohio, be and they are hereby authorized to levy a tax not to exceed six hundred dollars (\$600), for the purpose of purchasing or erecting a township hall in said township.*

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1167.]

AN ACT

To authorize the trustees of the townships of Penn and Marion, in the county of Morgan, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Penn and Marion townships, in the county of Morgan, Ohio, be and they are hereby authorized and empowered to transfer the surplus poor funds of the said townships to the road funds of said townships.*

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Passed May 4, 1885.

[House Bill No. 1130.]

AN ACT

To authorize the board of county commissioners of Darke county, Ohio, to issue the bonds of said county for certain purposes therein named, and to levy a tax for the redemption thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the board of county commissioners of Darke county be and is hereby authorized to issue the bonds of said county in sums of not less than one hundred (\$100) nor more than five hundred dollars (\$500), and bearing interest not to exceed six per cent. per annum, and payable at such times not beyond five years from their date as to said commissioners may seem proper, and to dispose of the same at not less than their par value, and in such amounts as may be necessary to discharge the liabilities of said county upon what is known as the county road bonds No. 1, now due and unpaid; provided, there shall not be issued under this act bonds exceeding in amount thirty-three thousand dollars (\$33,000).*

SEC. 2. Said commissioners of Darke county shall provide for the payment and redemption of the bonds provided for in section one of this act, and for that purpose they are hereby authorized and required to levy a tax not to exceed one-half of one mill on the dollar on all the taxable property of said county, in addition to the taxes now authorized by law, and said levy shall not extend beyond the period of five years, beginning with the year 1885.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed May 4, 1885.

JOINT RESOLUTIONS.

[Senate Joint Resolution No. 65.]

JOINT RESOLUTION

Relative to the two houses canvassing the vote of 1894 for state officers.

Resolved by the General Assembly of the State of Ohio, That the two houses meet in joint convention in the hall of the house of representatives on Wednesday, the 7th day of January, A. D. 1885, at 3:30 o'clock p. m., and attend to the count of the vote for state officers.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted January 8, 1885.

[House Joint Resolution No. 65.]

JOINT RESOLUTION

Informing the governor that a committee from the house and senate are ready to receive any communication he may make.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the house, and two on the part of the senate, be appointed to wait upon the governor, to inform him that the general assembly is now in session, and ready to receive any communication he may make.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted January 6, 1885.

[House Joint Resolution No. 66.]

JOINT RESOLUTION

Requesting our senators and representatives in congress to procure the passage of a law "To adjust certain accounts between the United States and the several states and territories, and the District of Columbia," as set forth in house bill No. 110, and dated December 10, 1883.

WHEREAS, On December 10, 1883, Hon. Barclay Henley, of California, introduced in the house house bill No. 110, which was referred to the house committee on claims; and on December 18, 1883, Hon. John F. Miller, of California, introduced in the senate senate bill No. 795, which was referred to

the senate committee on finance, as follows, to-wit: "A Bill. To adjust certain accounts between the United States and territories, and the District of Columbia."

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the treasury be and he is hereby authorized and directed to credit each of the several states and territories and the District of Columbia, with the amounts of money heretofore laid upon and apportioned to said states, territories, and District of Columbia, respectively, levied as a direct tax, under the provisions of the eighth section of the act of Congress, approved August fifth, eighteen hundred and sixty-one, entitled "an act to provide increased revenue from imports to pay interest on the public debt, and other purposes;" and he shall thereafter state an account between the United States and each of said states, territories, and district, respectively, and he shall pay to each thereof, out of any money in the treasury not otherwise appropriated, such sums of money as may appear to the credit of each thereof upon the books of the treasury, arising from such settlements."

The foregoing bill provides that the secretary of the treasury shall credit each state with the amount of money assessed against it for direct taxes, under the act of August 5, 1861.

The effect of the passage by congress of said bill will be to refund to those states which have paid the amounts of such assessments to the extent of the sums by them so paid, and to release those states which have not paid, from hereafter paying all said taxes, and also from all future liability to pay the same. Whilst the right of the general government to raise revenue by direct taxation is unquestioned, it is patent that this direct tax was in the nature of an enforced loan; and it was made in this form only because it was required to meet the great exigency then upon the country; and

WHEREAS, Several of the states now owe the general government from a quarter to a half-million dollars each, on account of this direct tax, while others have paid their full quota; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be requested to urge the passage of the bill hereinbefore referred to, and use their best endeavors to secure to the state the amount paid to the United States by this forced tax.

Resolved, That a copy of this resolution be forwarded to each of the senators and representatives by the governor of Ohio.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted January 14, 1885.

[Senate Joint Resolution No. 66.]

JOINT RESOLUTION

Relative to adjourning at 2 o'clock p. m. on Thursday, January 8, 1885, for [the] purpose of tendering a reception to Hon. Henry B. Payne.

WHEREAS, The Hon. Henry B. Payne, senator elect from Ohio, will be in the city of Columbus on Thursday, the 8th day of January, A. D. 1885, therefore,

Resolved by the General Assembly of the State of Ohio, That the senate and house of representatives adjourn for that day at 2 o'clock p. m. for the purpose of

rendering a public reception to senator Payne, in the hall of the house of representatives, and that the presiding officers of the senate and house make the necessary preparations for carrying this resolution into effect.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
 JOHN G. WARWICK,
President of the Senate.

Adopted January 20, 1885.

[House Joint Resolution No. 75.]

JOINT RESOLUTION

Directing the supervisor of public printing to cause to be bound in cloth, three hundred (300) copies of the annual report of the adjutant general of the state, for the year 1884.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be bound in cloth, three hundred (300) copies of the annual report of the adjutant general of the state, for the year 1884.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
 JOHN G. WARWICK,
President of the Senate.

Adopted January 16, 1885.

[House Joint Resolution No. 71.]

JOINT RESOLUTION

Directing the supervisor of public printing to have printed and bound ten thousand copies of the annual report of the state inspector of shops and factories.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to print and bind in pamphlet form, for distribution by the state inspector of shops and factories, ten thousand copies of the annual report of the state inspector of shops and factories; eight thousand copies to be printed in English, and two thousand copies to be printed in German.

A. D. MARSH,
Speaker of the House of Representatives.
 JOHN G. WARWICK,
President of the Senate.

Adopted January 16, 1885.

[House Joint Resolution No. 73].

JOINT RESOLUTION

Relative to the appointment of a committee on the part of the House and Senate, to investigate the cause of the coal miner's strike in the Hocking Valley.

Resolved by the General Assembly of the State of Ohio, That a joint committee, consisting of three on the part of the House, and three on the part of the Senate, be appointed to investigate the cause of the coal miners' strike in the Hocking

Valley. Said committee shall be empowered to send for persons and papers, and have all other powers conveyed by law to enable them to ascertain the truth of the matter which they are called upon to investigate; further, said committee is empowered to employ a stenographer to take and preserve a full report of their proceedings, which shall be submitted to this general assembly not later than March 15, A. D. 1885.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 16, 1885.

[House Joint Resolution No. 77].

JOINT RESOLUTION

Authorizing the superintendent of the Athens asylum for the insane to admit Mary Conner.

WHEREAS, Mary Conner, an insane person, is now confined in the Noble county infirmary; and

WHEREAS, The said Mary Conner, having lost her residence by removal from said county to the state of Texas, thereby losing her right to admission to the asylums of the state of Ohio; and

WHEREAS, The said Mary Conner, having returned from the state of Texas, to the said county of Noble, Ohio, where she formerly resided, and having been adjudged insane by the probate court of said county, and by order of said court is now confined in said infirmary; now therefore, be it

Resolved, by the General Assembly of the State of Ohio, That the superintendent of the Athens asylum for the insane, be and he is hereby authorized and required to admit the said Mary Conner to said asylum for treatment.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 20, 1885.

[Senate Joint Resolution No. 60].

JOINT RESOLUTION

Providing for a statue to Honorable William Allen, late governor of Ohio.

WHEREAS, By section 1817 of the Revised Statutes of the United States, each of the states is invited to provide and to present to congress, for erection in the old hall of the house of representatives at Washington, marble or bronze statues of one or two of its deceased citizens, who have been illustrious for their historic renown, or their distinguished civic or military services, such as the state shall determine to be worthy of this national commemoration; and

WHEREAS, That distinguished son of Ohio, William Allen, senator, governor, statesman, is worthy of all honor which can be bestowed on his memory by state or Republic; therefore, be it

Resolved by the General Assembly of the State of Ohio, That William Allen be and is hereby designated as one of the illustrious deceased citizens of the state whose

distinguished civic service shall be commemorated by a suitable statue as provided by said section 1817, of the Revised Statutes of the United States; that a committee of five on the part of the House, and three on the part of Senate, with the governor, be appointed to investigate and report to this general assembly at a time, not later than the 15th of February, the cost of procuring a competent artist to execute such statue, and the style, workmanship and material best adapted for the same, and such other facts in connection therewith as will enable the general assembly to act intelligently in contracting for a work of art suitable to commemorate the renown of the illustrious dead.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted January 21, 1885.

[Senate Joint Resolution No. 71].

JOINT RESOLUTION

Relative to adjournment every third week.

Resolved by the General Assembly of the State of Ohio, That when the general assembly adjourns on Friday, January 23, and every third Friday thereafter, it shall be to meet at four o'clock p.m. on the following Tuesday.

L. B. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted January 21, 1885.

[Senate Joint Resolution No. 69].

JOINT RESOLUTION

Requesting our senators in Congress to vote for the ratification of the treaty in reference to the Nicaragua canal.

WHEREAS, The construction of an inter-oceanic canal through the territory of Nicaragua would shorten the water route between New York and San Francisco about ten thousand miles, and place the former port within thirty days' sail of Yokohama, Shanghai, and Melbourne, and Sidney, thus opening up to the commerce of the United States the markets of India, China, Japan, and the East Indies, which contain seven hundred and fifty millions of people; and

WHEREAS, The construction of said canal would make this country the great commercial center of the world, revolutionize the currents of trade, and place in our hands the key to the commerce of the world, and transfer the money center of the world from London to New York; and

WHEREAS, There is now pending in the senate of the United States a treaty between the United States and the Republic of Nicaragua, wherein it is stipulated that the United States shall have full power and authority, with all necessary

grants, powers, privileges, rights and franchises to construct said inter-oceanic canal; therefore,

Resolved by the General Assembly of the State of Ohio, That the senators of Ohio in the congress of the United States are hereby instructed to vote for and use all honorable means to secure the adoption and ratification of the aforesaid treaty for the reasons aforesaid; and that the governor of Ohio be requested to transmit a copy of this resolution to both of said senators at his earliest convenience.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN W. WARWICK,
President of the Senate.

Adopted January 28, 1885.

[Senate Joint Resolution No. 75.]

JOINT RESOLUTION

Relative to attending World's Exposition at New Orleans.

WHEREAS, An invitation has been extended, through Governor Hoadly, to this legislature, by Major E. A. Burke, director general of the World's Industrial and Cotton Exposition, at New Orleans, to visit said exposition.

Resolved by the General Assembly of the State of Ohio, That such invitation be and is hereby cordially accepted.

Resolved, That the presiding officers of the senate and of the house be requested to transmit a copy of this action to Major Burke, and at the same time to inform him that they will communicate with him further on this subject, as early as it may be practicable for the legislature to fix the time when it can visit the exposition.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Adopted February 10, 1885.

[Senate Joint Resolution No. 76.]

JOINT RESOLUTION

Relative to the right of certain purchasers of state lands.

Resolved by the General Assembly of the State of Ohio, That any of the purchasers of the lands sold in pursuance of the act entitled "an act to authorize the sale of certain land belonging to the state," passed April 14, 1884, who gave to the state notes and mortgages for the deferred payment for lands so sold to them, may at any time pay to the treasurer of state the principal sums of their said notes and mortgages, with interest to the date of payment, in full of the amount due to the state thereon, and thereupon shall be entitled to have their said mortgages released as provided in section 4124, Revised Statutes.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Adopted February 11, 1885.

[Senate Joint Resolution No. 78.]

JOINT RESOLUTION

Authorizing the secretary of state to print four thousand copies of law relating to circuit court, and to be distributed in each county proportionately.

Resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby authorized and required to have four thousand copies of the law conferring jurisdiction on the circuit court, printed immediately in advance of other matter, in pamphlet form, and cause the same to be distributed to the clerk of the court of common pleas of each county in the state, for the use of the courts and attorneys therein.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted February 10, 1885.

[Senate Joint Resolution No. 70.]

JOINT RESOLUTION

Authorizing the attorney-general to contract for the maintenance of the insane in the Lucas county insane asylum.

Resolved by the General Assembly of the State of Ohio, That the attorney-general be and is hereby authorized to contract with the commissioners of Lucas county for the maintenance and care of a number of insane of the state, not exceeding ninety, at a rate not exceeding four dollars and twenty-five cents per week for each person, provided said insane cannot be accommodated in the hospital for insane under state control, and, provided further, however, that no inmates shall be maintained in said Lucas county asylum in excess of the quota from the county from which they belong, and at each settlement with the auditor of state, they shall be required to give the name of each inmate, and where from. And that this contract take effect upon the adoption of this resolution, and shall be subject to the future action of the general assembly.

Resolved, That for the purpose of oversight of its management, said asylum shall be placed under the control of the trustees appointed under the fourth section of the act passed April 14, 1882, entitled "an act to provide additional accommodations for the insane of the state," with power to appoint and discharge the superintendent of said asylum; and the amount of his salary shall be deducted from the amount due or to be paid by the state for the maintenance of its patients. The joint resolution adopted May 1, 1871, relating to the management of the Lucas county asylum, and the joint resolution adopted April 17, 1882, relating to the insane kept by Lucas county, are hereby repealed, and the contract heretofore entered into in pursuance of said last resolution is hereby terminated.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted February 5, 1885.

[House Joint Resolution No. 79.]

JOINT RESOLUTION

Relative to the "St. Clair papers."

WHEREAS, The library commissioners, by authority of joint resolution adopted by the sixty-fourth general assembly, selected Hon. William Henry Smith, former secretary of state of Ohio, to edit and superintend the publication of the "St. Clair papers;" and

WHEREAS, Said papers have thereby been preserved in enduring form; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the thanks of this general assembly be and are hereby tendered Hon. William Henry Smith, for his able and correct work in editing said "St. Clair papers," and that a copy of these resolutions, properly signed and attested, be forwarded by the state librarian to said Hon. William Henry Smith.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted February 10, 1885.

[Senate Joint Resolution No. 77.]

JOINT RESOLUTION

Relative to the printing of three hundred additional copies of S. B. No. 357.

Resolved by the General Assembly of the State of Ohio, That three hundred copies of Senate Bill No. 357 be printed for the use of the general assembly.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted February 24, 1885.

[Senate Joint Resolution No. 81.]

JOINT RESOLUTION

Relative to adjourning from Saturday, February 28, to March 10, 1885.

Be it resolved by the General Assembly of the State of Ohio, That when the general assembly adjourns on Saturday, February 28, it be until Tuesday, March 10, at four o'clock P.M.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted February 26, 1885.

[House Joint Resolution No. 94.]

JOINT RESOLUTION

Relative to paying witnesses before Hocking Valley investigating committee.

Resolved by the General Assembly of the State of Ohio, That there is hereby appropriated out of any money in the treasury of the state of Ohio, not otherwise appropriated, the sum of three hundred dollars, (\$300.00) to pay fees and mileage of witnesses in attendance before said Hocking Valley investigating committee. That the auditor of state be and he is hereby required to issue his order on the treasurer of state for said amount, and deliver the same to the chairman of said committee. That the said chairman be required to make to this body a detailed report of the amount paid to each of said witnesses, giving the names thereof, and the amounts paid for fees, and amounts paid for mileage.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 11, 1885.

[House Joint Resolution No. 91.]

JOINT RESOLUTION

Providing for the loan of one hundred guns, etc., to the Grand Army Posts at Columbus, Ohio.

WHEREAS, there are two grand army posts, having a membership of about eight hundred, in the city of Columbus, which have organized a uniformed drill corps to perform escort duty at funerals, parades on decoration day, and all other public demonstrations, and are without guns or the means to purchase them; and

WHEREAS, The state has, at its arsenal in said city, a large quantity of arms, for which it has no immediate use, therefore, be it

Resolved by the General Assembly of the State of Ohio, That the adjutant general be and he is hereby authorized to loan one hundred guns and accoutrements, complete, from the arms in the state arsenal to said drill corps, upon receiving ample and satisfactory security for the safe keeping and care of the same, and for their return to the arsenal on the order of the adjutant general.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 12, 1885.

[Senate Joint Resolution No. 80.]

JOINT RESOLUTION

Relative to dedicating alley in the state addition of lands.

Resolved by the General Assembly of the State of Ohio, That the governor, auditor of state, attorney-general, secretary of state, and state librarian, in

connection with the platting and sub-division into lots of the lands described in the act entitled an act "to authorize the sale of certain lands belonging to the state," passed February 24, 1885, are hereby authorized to plat and dedicate to public use as an alley, the following described land, belonging to the state of Ohio, situated in the city of Columbus, county of Franklin, and state of Ohio, and described as follows: Beginning at a point 535 42-100 feet east of the east line of Parson's avenue, and at the south-east corner of lot number eleven, of George M. Parson's sub-division in said city; thence east, parallel with Town street, 152 25-100 feet; thence south, at right angles with Town street, 20 feet; thence west, parallel with Town street, 152 25-100 feet to the east line of said Parson's sub-division, and thence north along the east line of said Parson's sub-division 20 feet, to the place of beginning.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 12, 1885.

[House Joint Resolution No. 89.]

JOINT RESOLUTION

Relative to loaning tents, camp equipage, ordnance, etc., to the society of the army of West Virginia, at their annual reunion, in September.

WHEREAS, The annual reunion of "the society of the army of West Virginia" is to be held in the city of Portsmouth, Scioto county, on the 15th, 16th, 17th, and 18th of September, 1885, therefore, be it

Resolved by the General Assembly of the State of Ohio, That the adjutant general of the state is hereby instructed and authorized to loan to the executive committee of "the society of the army of West Virginia," for the above named occasion, such number of tents, camp and garrison equipage, ordnance, inclusive of cannon, muskets and accoutrements, as may at that time be in his possession, and not in use by the national guard of the state, and to accord said executive committee such other assistance and privileges as shall not materially conflict with the preservation of the public property of the state; provided said property shall be taken and returned without expense to the state of Ohio.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted February 25, 1885.

[House Joint Resolution No. 72.]

JOINT RESOLUTION

Relative to the exchanging and selling of the public arms of the state.

WHEREAS, The state of Ohio is in possession of certain surplus stock of ordnance and ordnance stores and other military property, part of which is old and of obsolete pattern, and also has on the books of the ordnance department of

the United States, a credit in ordnance and ordnance stores, subject to the requisition of the governor only in kind; and

WHEREAS, The state being thus amply supplied with ordnance and ordnance stores, is for want of authority of law prevented from exchanging such surplus ordnance and ordnance stores for other military equipment necessary for the militia of the state for which it makes annual appropriations; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the adjutant-general is hereby authorized, with the approval of the governor, to condemn and sell at public or private sale such old or obsolete arms and ordnance stores, as he may deem for the benefit of the state, and use the proceeds thereof in the purchase of other arms and military stores; or he is authorized to exchange such arms and stores for other military supplies, where, in his opinion, the same can be advantageously done.

The governor is hereby authorized to draw, and with his approval the adjutant-general is authorized to exchange any ordnance or ordnance stores, now or hereafter credited by the general government, to the state of Ohio, for such other property or military stores, as in the governor's opinion, may be for the best interest of the Ohio national guard.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK.

President of the Senate.

Adopted March 20, 1885.

[House Joint Resolution No. 67].

JOINT RESOLUTION

Proposing amendments to the constitution.

Be it resolved by the General Assembly of the State of Ohio, That propositions to amend section 2 of article II, section 1 of article III, and section 2 of article X of the constitution of the state of Ohio, shall be submitted to the electors of this state, on the second Tuesday of October, A. D. 1885, to read as follows:

ARTICLE II.

Section 2. Senators and representatives shall be elected biennially by the electors of the respective counties or districts, on the first Tuesday after the first Monday in November; their term of office shall commence on the first day of January next thereafter, and continue two years.

ARTICLE III.

Section 1. The executive department shall consist of a governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, and an attorney-general, who shall be elected on the first Tuesday after the first Monday in November, by the electors of the state, and at the places of voting for members of the general assembly.

ARTICLE X.

Section 2. County officers shall be elected on the first Tuesday after the first Monday in November, by the electors of each county in such manner, and for such term, not exceeding three years, as may be provided by law.

FORM OF BALLOT.

At such election, the voters in favor of the adoption of the amendment to section two of article two, shall have placed upon their ballots the words, "Amendment to section two of article two of the constitution—Yes;" and those who do not favor the adoption of such amendment, shall have placed upon their ballots the words, "Amendment to section two of article two of the constitution—No." Those who favor the adoption of the amendment to section one of article three of the constitution, shall have placed upon their ballots the words, "Amendment to section one of article three of the constitution—Yes;" and those who do not favor the adoption of such amendment, shall have placed upon their ballots the words, "Amendment to section one of article three of the constitution—No." Those who favor the adoption of the amendment to section two of article ten of the constitution, shall have placed upon their ballots the words, "Amendment to section two of article ten of the constitution—Yes;" and those who do not favor the adoption of such amendment, shall have placed upon their ballots the words, "Amendment to section two of article ten of the constitution—No."

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 25, 1885.

[Senate Joint Resolution No. 86.]

JOINT RESOLUTION

Relative to the re-engrossment of H. B. No. 752.

WHEREAS, It having been ascertained that H. B. No. 752 was incorrectly engrossed, therefore, be it

Resolved by the General Assembly of the State of Ohio, That the clerk of the senate be authorized to have said bill re-engrossed, which bill, after being re-enrolled and signed, shall be deposited in the office of the secretary of state in lieu of the copy of said bill now on file in said office.

A. D. MARSH,

Speaker of the House of the Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 25, 1885.

[House Joint Resolution No. 98.]

JOINT RESOLUTION

Relative to the distribution of 800 copies of the geological survey of Ohio, 5th volume.

WHEREAS, There is now in the hands of the secretary of state about 800 copies of the fifth volume of the geological survey of Ohio, with no proper or satisfactory provisions made for their distribution, therefore, be it

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and is hereby authorized and directed to distribute, *pro rata*, among the

members of the 66th general assembly, such number of surplus copies of the 5th volume of the geological survey of Ohio as may be in his hands.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 26, 1885.

[Senate Joint Resolution No. 68.]

JOINT RESOLUTION

Requesting congress to issue land warrants to union soldiers.

WHEREAS, One of the inducements offered by recruiting officers and public speakers to secure enlistments in the late war for the preservation of the union, was that each honorably discharged soldier and sailor would receive a land warrant for one hundred and sixty acres of the public lands, without the conditions of settlement; and

WHEREAS, It was with this understanding, and with the full expectation that those who fought to preserve the union would be treated with the same consideration and liberality as the soldiers of the revolutionary war, the war of 1812, and the Mexican war, all of whom were given land warrants; and

WHEREAS, The government has thus far failed to perform this simple act of justice, notwithstanding the fact that there are more than one thousand million acres of public lands undisposed of; therefore,

Resolved by the General Assembly of the State of Ohio, That it is the sense of this general assembly, that congress should, at the earliest possible opportunity, pass a law giving to each honorably discharged surviving soldier and sailor who served in the late war for the preservation of the union, and the widows and minors of those who are deceased, a land warrant for one hundred and sixty acres of the public lands, without the conditions of settlement.

Resolved, That the governor be requested to forward to each of our senators and representatives in congress, a copy of these resolutions.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted March 26, 1885.

[House Joint Resolution No. 97.]

JOINT RESOLUTION

Extending sympathy to General Grant and family.

WHEREAS, General U. S. Grant, a former citizen of Ohio, who to the best of his ability performed his whole duty as a true citizen, a brave soldier, and a faithful public servant, is reported dangerously ill; therefore, be it

Resolved by the General Assembly of the State of Ohio, That we tender to him and his family, in this affliction, our sincere sympathy, and that the governor be requested to send to General Grant a copy of this resolution.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted April 3, 1885.

[Senate Joint Resolution No. 28.]

JOINT RESOLUTION

Amending section four, article ten, of the constitution, relative to the election of township officers.

Resolved by the General Assembly of the State of Ohio, (three-fifths of all the members elected to each house concurring therein), That there be submitted to the electors of the state, on the second Tuesday of October, A. D. 1885, a proposition to amend section four, article ten, of the constitution of the state, so as to read as follows:

Section 4. Township officers shall be elected by the electors of each township, at such time, in such manner, and for such term, not exceeding three years, as may be provided by law; but shall hold their offices until their successors are elected and qualified.

The electors desiring, at said election, to vote in favor of the foregoing amendment, shall have written or printed on their ballots the words, "Constitutional amendment, township officers—Yes;" and those who do not favor the adoption of said amendment shall have written or printed on their ballots the words, "Constitutional amendment, township officers—No."

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted April 9, 1885.

[House Joint Resolution No. 100.]

JOINT RESOLUTION

Authorizing the secretary of state to contract with some responsible person or firm to furnish material, print, bind, and supply the state with three hundred and fifty copies of the 43d Ohio state reports, etc.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby authorized to contract with some responsible person or firm to furnish material, print, bind, and supply the state with three hundred and fifty copies of the 43d, and any other subsequent volume or volumes, of the Ohio state reports, that may be ready for publication within two years from the 23d of June, 1885; said contract to be made in accordance with the provisions and subject to the limitations and instructions of section 437, of the Revised Statutes, as to cost and otherwise, and shall include the advance sheets provided for in said section. The volume or volumes to be, in quality of paper and binding, equal to volume [1], Ohio state reports, as provided by law.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted April 17, 1885.

[House Joint Resolution No. 96.]

JOINT RESOLUTION

Extending the time given to the committee appointed under H. J. R. No. 73.

Be it resolved by the General Assembly of the State of Ohio, That the time given to the committee appointed under H. J. R. No. 73, to report, be extended from March 15th to April 1st, 1885.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted April 22, 1885.

[House Joint Resolution No. 101.]

JOINT RESOLUTION

Relative to the admission of Alexander Maddock, to the Dayton asylum for the insane.

WHEREAS, One Alexander Maddock has become insane, and his insanity has assumed a form that renders its unsafe for him to be at large; and

WHEREAS, He was found in such condition on the 21st day of December, 1884, wandering about in the county of Miami, and state of Ohio, and having no residence therein; and

WHEREAS, After diligent inquiry his place of residence cannot be ascertained, and his friends, relatives and acquaintances, if any, are wholly unknown; and

WHEREAS, He is now confined in the county infirmary of Miami county, Ohio, where proper care and attention suited to his case cannot be furnished; and

WHEREAS, He should be confined in an asylum; and

WHEREAS, Under the statutes now in force, the said Alexander Maddock is not eligible for admission to any asylum of this state, for the reason that he is not a legal resident thereof; therefore,

Resolved by the General Assembly of the State of Ohio, That the said Alexander Maddock, having been adjudged insane, by the probate court of Miami county, upon the certificate of two physicians, the superintendent of the Dayton asylum for the insane, be and is hereby authorized and required to receive the said Alexander Maddock into said institution, for treatment, and if said patient recovers, return, or deliver him to the proper authorities of Miami county.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted April 22, 1885.

[House Joint Resolution No. 103.]

JOINT RESOLUTION

Relative to the printing of 3,000 copies of the Hocking Valley investigating committee's report, etc.

Resolved by the General Assembly of the State of Ohio, That three thousand copies of the "Hocking Valley investigating committee's report," together with the evidence taken by said committee be printed.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted April 25, 1885.

[House Joint Resolution No. 108.]

JOINT RESOLUTION

Relative to adjourning May 4th, 1885.

Be it resolved by the General Assembly of the State of Ohio, That the 66th general assembly adjourn sine die on May 4th, at 10 o'clock A. M. 1885.

A. D. MARSH,

Speaker of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted April 29, 1885.

[Senate Joint Resolution No. 92.]

JOINT RESOLUTION

Relative to the printing of additional railroad maps.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the three thousand railway maps of Ohio, authorized by section 63, Revised Statutes, to be printed, the commissioner of railroads and telegraphs be and he is hereby authorized to have additional maps printed, not to exceed seven thousand in number; provided, if in his judgment they are required, and provided further, that the total cost of the original map, the plate, the paper and the printing shall not exceed three hundred and seventy-five dollars, and that the same be paid for from the state printing fund.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted April 30, 1885.

[House Joint Resolution No. 110.]

JOINT RESOLUTION

Directing the adjutant general to allow the chief inspector of workshops and factories, the use of room No. 20, in the state house.

Resolved by the General Assembly of the State of Ohio, That the adjutant general, as superintendent of the state house and grounds, be and is hereby directed to permit the chief inspector of workshops and factories to have the use of the following named room in the state house, viz: The west room of the treasurer's office, known as room No. 20. The adjutant general is hereby authorized to make an entrance into said room, from the hall on the north side thereof, and such other changes and repairs as may be necessary for a proper use of said room.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted May 4, 1885.

[House Joint Resolution No. 93.]

JOINT RESOLUTION

Relative to rescinding H. J. R. No. 44.

Be it resolved by the General Assembly of the State of Ohio, That H. J. R. No. 44, entitled "To prevent the removal of certain insane persons from one district asylum to another," which was adopted May 14, 1878, (O. L. v. 75, p. 1204), be and the same is hereby rescinded.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted May 4, 1885.

[Senate Joint Resolution No. 94.]

JOINT RESOLUTION

Rescinding house joint resolution No. 119, adopted April 20, 1881, and relative to appointment of commissioner of Ohio, to prosecute certain claims against general government.

Resolved by the General Assembly of the State of Ohio, That house joint resolution No. 119, adopted and passed by the general assembly of the state of Ohio, April 20, 1881, be and the same is hereby rescinded and repealed; and that the governor of this state be and he is hereby authorized and empowered to appoint a commissioner to act for and on behalf of the state of Ohio, in the adjustment and settlement of the claims of said state against the general government, arising out of the original and subsequent swamp land grants of September 28th, A. D. 1850, and any other act or acts of the general government granting or vesting in said state any right or title to swamp or marsh lands, either in Ohio or elsewhere; and the indemnity acts of March 2d, A. D. 1855, and March 3d, A. D. 1857, or any other act or acts of the general government relating to said subject. That it shall be the duty of said commissioner to obtain for the state, patents to all such land or lands as have not heretofore been patented; to make a record of the swamp or marsh land sections, or both, of the state; to settle, adjust, and obtain for the state all cash or land indemnities due and belonging to the state, from the general government; and to perform such other duties in regard to the claims of the state against the general government, as the governor may direct. The said commissioner shall receive for his services a percentage of moneys recovered in the prosecution of said claims, and percentage or share of other property secured, to be fixed by the governor, not exceeding that allowed the agents of other states for similar services. That said commissioner be required to report to the governor within six months from the date of his appointment, and within every six months thereafter, showing his proceedings and progress under the authority vested in him by virtue of said appointment.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Adopted May 4, 1885.

[House Joint Resolution No. 102.]

JOINT RESOLUTION

Relative to the appointment of a commission to devise ways and means for improving the navigation of the Ohio river and its tributaries.

Be it resolved by the General Assembly of the State of Ohio, That the governor be and he is hereby authorized to appoint five citizens and electors of the state to unite with citizens of other states, appointed by the governors of the states bordering upon the Ohio river and its tributaries, under the name of the "Ohio river commission," in devising ways and means for improving the navigation of the Ohio river and its tributaries; said commission to serve without compensation.

L. A. BRUNNER,

Speaker pro tem. of the House of Representatives.

ELMER WHITE,

President pro tem. of the Senate.

Adopted May 4, 1885.

STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE,
COLUMBUS, June 1, 1885.

I, James S. Robinson, as Secretary of State, of the State of Ohio, do hereby certify that the foregoing laws and joint resolutions were printed under and by the authority of the State of Ohio, and that the same are true copies, copied from the original rolls on file in this office, of the laws and joint resolutions passed and adopted by the Sixty-sixth General Assembly of the State of Ohio, at its adjourned session, begun and held in the city of Columbus, January 6, 1885, and ended May 4, 1885.

WITNESS, my signature and the Great Seal of the State of Ohio, at Columbus, the 1st day of June, A. D. 1885.

[GREAT SEAL.]

J. S. ROBINSON,

Secretary of State.

OFFICERS OF COURTS.

SUPREME COURT OF OHIO.

| Name. | Office. | Residence. | Term of office. | Term expires. |
|-------------------------|----------------|----------------------|-----------------|---------------|
| George W. McIlvaine.. | Chief Justice. | New Philadelphia ... | 5 years... | Feb. 9, 1886 |
| Martin D. Follett | Judge | Marietta | " .. | " 9, 1887 |
| John W. Okey..... | " | Columbus..... | " .. | " 9, 1888 |
| Selwyn N. Owen..... | " | Bryan | " .. | " 9, 1889 |
| William W. Johnson... | " | Ironton | " .. | " 9, 1890 |
| J. W. Cruikshank | Clerk | Troy | 3 years... | " 4, 1887 |
| J. W. Slocum | Deputy Clerk | Columbus..... | " .. | " 4, 1887 |
| John L. Hill..... | " | Findlay..... | " .. | " 4, 1887 |

UNITED STATES CIRCUIT AND DISTRICT COURTS FOR NORTHERN DISTRICT OF OHIO.

| Name. | Office. | Residence. | Term of office. |
|----------------------|---|-----------------------|---------------------|
| Stanley Matthews.... | Ass'te Justice Su- preme Court U. S.... | Washington, D. C. | Life. |
| John Baxter..... | U. S. Circuit Judge for 8th Circuit of Ohio, Michigan, Kentucky and Tennessee..... | | |
| Martin Welker..... | U. S. District Judge, Northern District of Ohio | Knoxville, Tenn ... | Life. |
| Augustus J. Ricks... | Clerk Circuit Court, N. D. O., Cleveland and Toledo | Wooster, Ohio ... | Life. |
| Earl Bill*..... | Clerk District Court, N. D. O., Cleveland and Toledo | Massillon, Ohio | Pleasure of Judge. |
| O. C. Beatty..... | Deputy Clerk Circuit Court | Cleveland, Ohio.... | Pleasure of Judge. |
| Charles Bill..... | Deputy Clerk District Court | Cleveland, Ohio... .. | Pleasure of Clerk. |
| H. W. Brown..... | Deputy Clerk Circuit and District Courts... | Toledo, Ohio..... | Pleasure of Clerk. |
| E. H. Eggleston..... | U. S. Dist. Attorney, N. D. O..... | Cleveland, Ohio.... | Four years. |
| Wilbur F. Goodspeed | U. S. Marshal, N. D. O. | Cleveland, Ohio.... | Four years. |
| John Odell | Dep. Marshal, N. D. O. | Cleveland, Ohio.... | Pleasure of Marshal |
| George Weyman..... | Dep. Marshal, N. D. O. | Cleveland, Ohio.... | Pleasure of Marshal |
| H. H. Dodge..... | Jury Commissioner.... | Cleveland, Ohio.... | Pleasure of Court. |

*Deceased. Successor not yet appointed.

The Circuit and District Courts for the Eastern Division of the Northern District are held at Cleveland, on the first Tuesdays of February, April and October.

The Circuit and District Courts for the Western Division of the Northern District are held at Toledo, on the first Tuesdays of June and December.

The Northern District of Ohio is, by law, divided into two Divisions—the Eastern and Western—but having but one set of court officers, as above. The clerk and marshal of the court each have offices, and deputies in regular attendance at both Cleveland and Toledo. The counties comprising the two Divisions are as follows:

COUNTIES COMPRISING EASTERN DIVISION.

Terms of Court held on the first Tuesdays of February, April and October, at Cleveland, O.

Ashland,
Ashtabula,
Cuyahoga,
Crawford,
Columbiana,

Carroll,
Geauga,
Holmes,
Lake,
Lorain,

Medina,
Mahoning,
Portage,
Richland,
Summit,

Stark,
Tuscarawas,
Trumbull,
Wayne,

COUNTIES COMPRISING THE WESTERN DIVISION.

Terms of Court held on the first Tuesdays of June and December, at United States Court Rooms, in Produce Exchange Building, Toledo, O.

Auglaize,
Allen,
Defiance,
Erie,
Fulton,
Henry,

Hancock,
Hardin,
Huron,
Lucas,
Logan,
Mercer,

Marion,
Ottawa,
Paulding,
Putnam,
Seneca,
Sandusky,

Van Wert,
Williams,
Wood,
Wyandot,

UNITED STATES CIRCUIT AND DISTRICT COURTS FOR SOUTHERN DISTRICT OF OHIO.

| Name. | Office. | Residence. | Term of office. | Term expires. |
|--------------------|---|------------------------------------|-----------------|---------------|
| Stan'ly Matthews | Ass'te Justice, Supreme Court, U.S. | Washington, D. C. | For life. | |
| John Baxter..... | U.S. Circuit Judge, 6th Circuit, Ohio, Michigan, Kentucky, and Tennessee..... | Knoxville, Tenn.. | For life. | |
| Geo. R. Sage | U.S. District Judge, Southern Dist., O. | Lebanon, Warren county, Ohio | For life. | |
| Phil. H. Kumler | U.S. Dist. Attorney | Cincinnati, O | Four years... | Feb. —, 1889 |
| Henry Hooper ... | Ass't " | " | | |
| D. K. Watson.... | Ass't " | Columbus, O..... | | |
| Lot Wright..... | U. S. Marshal | Lebanon, O..... | Four years... | Feb. 21, 1887 |
| T. M. Turner..... | Chief Deputy W.D. | Cincinnati, O | P'ure of ma'sl | |
| Chas. E. Twifort.. | Deputy W. D | " | " | |
| John W. Turner.. | " W. D | " | " | |
| C. M. Morris | " E. D..... | Columbus, O | " | |
| B. R. Cowen | Clerk United States Circuit and District Courts..... | Cincinnati, O | P'ure of J'ge | |
| Robt. C. Georgi.. | Deputy Clerk W.D | " | P'ure of cl'k | |
| Chas. R. Nevin... | " " | " | " | |
| Thos. Corwin..... | " " E. D | Columbus, O..... | " court | |
| Theodore Cook... | Jury Commissioner | Cincinnati, O..... | | |

The Southern District of Ohio is, by law, divided into two divisions—Eastern and Western, as follows:

COUNTIES COMPRISING EASTERN DIVISION.

Terms of Court held on the first Tuesdays of June and December, at Columbus, Ohio.

| | | |
|------------|------------|-------------|
| Union, | Pickaway, | Licking, |
| Delaware, | Ross, | Perry, |
| Morrow, | Pike, | Muskingum, |
| Knox, | Gallia, | Morgan, |
| Coshocton, | Jackson, | Washington, |
| Harrison, | Meigs, | Noble, |
| Jefferson, | Vinton, | Monroe, |
| Madison, | Athens, | Belmont, |
| Fayette, | Hocking, | Guernsey, |
| Franklin, | Fairfield, | |

COUNTIES COMPRISING WESTERN DIVISION.

Terms of Court held on the first Tuesdays of February, April and October, at Cincinnati, Ohio.

| | | |
|-------------|-----------|-----------|
| Darke, | Clarke, | Clermont, |
| Shelby, | Greene, | Highland, |
| Champaign, | Clinton, | Brown, |
| Preble, | Warren, | Adams, |
| Miami, | Butler, | Scioto, |
| Montgomery, | Hamilton, | Lawrence, |

JUDGES OF THE CIRCUIT COURT.

MARSHALL J. WILLIAMS, Chief Justice, Washington C. H., Ohio.

FIRST CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|-------------------------------|------------|--------------------|------------------|
| Joseph Cox, Cincinnati | 2 years... | February 9, 1885.. | February 8, 1887 |
| James M. Smith, Lebanon | 4 years... | February 9, 1885.. | February 8, 1889 |
| Peter F. Swing, Batavia | 6 years... | February 9, 1885.. | February 8, 1891 |

SECOND CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|---------------------------------------|------------|--------------------|------------------|
| Marshall J. Williams, Wash'gton C. H. | 2 years... | February 9, 1885.. | February 8, 1887 |
| Gilbert H. Stewart, Columbus | 4 years... | February 9, 1885.. | February 8, 1889 |
| John A. Shauack, Dayton | 6 years... | February 9, 1885.. | February 8, 1891 |

THIRD CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|-----------------------------|------------|--------------------|------------------|
| Thomas Beer, Bucyrus..... | 2 years... | February 9, 1885.. | February 8, 1887 |
| John J. Moore, Ottawa..... | 4 years... | February 9, 1885.. | February 8, 1889 |
| Henry W. Seney, Kenton..... | 6 years... | February 9, 1885.. | February 8, 1891 |

FOURTH CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|-----------------------------------|------------|--------------------|------------------|
| Thomas Cherrington, Ironton | 2 years... | February 9, 1885.. | February 8, 1887 |
| J. P. Bradbury, Pomeroy | 4 years... | February 9, 1885.. | February 8, 1889 |
| Milton L. Clark, Chillicothe..... | 6 years... | February 9, 1885.. | February 8, 1891 |

FIFTH CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|---------------------------------|------------|--------------------|------------------|
| John W. Albaugh, Canton | 2 years... | February 9, 1885.. | February 8, 1887 |
| Charles Follett, Newark | 4 years... | February 9, 1885.. | February 8, 1889 |
| John W. Jenner, Mansfield | 6 years... | February 9, 1885.. | February 8, 1891 |

SIXTH CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|-------------------------------------|------------|--------------------|------------------|
| William H. Upson, Akron | 2 years .. | February 9, 1885.. | February 8, 1887 |
| Charles C. Baldwin, Cleveland | 4 years... | February 9, 1885.. | February 8, 1889 |
| George B. Haynes, Toledo | 6 years... | February 9, 1885.. | February 8, 1891 |

SEVENTH CIRCUIT.

| Names and post-office. | Term. | Commenced. | Expires. |
|-----------------------------------|------------|--------------------|------------------|
| Peter A. Laubie, Salem | 2 years... | February 9, 1885.. | February 8, 1887 |
| William H. Frazier, Caldwell..... | 4 years... | February 9, 1885.. | February 8, 1889 |
| Hamilton B. Woodbury, Jefferson.. | 6 years... | February 9, 1885.. | February 8, 1891 |

JUDGES OF THE COURT OF COMMON PLEAS.

| District. | Sub-div. | Counties. | Names. | Post-offices. |
|-----------|----------|------------------|------------------------------------|------------------|
| 1 | | Hamilton | Samuel R. Matthews | Cincinnati. |
| | | | Charles D. Robertson | Cincinnati. |
| | | | Robert A. Johnson | Cincinnati. |
| | | | Samuel N. Maxwell | Cincinnati. |
| | | | John S. Conner | Cincinnati. |
| | | | M. L. Buchwalter | Cincinnati. |
| | | | Alex. B. Huston ¹ | Cincinnati. |
| 2 | 1 | Butler | Alex. F. Hume | Hamilton. |
| | | Preble | Henderson Elliott | Dayton. |
| | | Montgomery | John W. Sater | Greenville. |
| 2 | 2 | Darke | Wm. R. Warnock | Urbana. |
| | | Champaign | Calvin D. Wright | Troy. |
| | | Miami | John L. Wilson ² | Lebanon. |
| 2 | 3 | Clinton | Azariah W. Doan | Wilmington. |
| | | Greene | James E. Hawes | Xenia. |
| | | Clarke | Chas. R. White | Springfield. |
| | | Shelby | | |
| 3 | 1 | Anglaize | James H. Day | Celina. |
| | | Mercer | Charles M. Hughes | Lima. |
| | | Allen | | |
| | | Van Wert | | |
| 3 | 2 | Paulding | Silas T. Sutphen | Bryan. |
| | | Defiance | | |
| | | Williams | | |
| 3 | 3 | Fulton | Wm. H. Handy ³ | Wauseon. |
| | | Henry | | |
| | | Putnam | | |
| 4 | 1 | Lucas | Lewis H. Pike | Toledo. |
| | | Ottawa | David H. Commager | Toledo. |
| | | Sandusky | Reuben C. Lemmon | Toledo. |
| | | Erie | John Mackey | Sandusky. |
| | | Huron | Charles P. Wickham | Norwalk. |
| 4 | 2 | Lorain | George W. Lewis | Medina. |
| | | Medina | Edwin P. Greene | Akron. |
| | | Summit | | |
| 4 | 3 | Cuyahoga | E. J. Blandin | Cleveland. |
| | | | Henry McKinney | Cleveland. |
| | | | E. T. Hamilton | Cleveland. |
| | | | Gershom M. Barber | Cleveland. |
| | | | James M. Jones | Cleveland. |
| | | | John W. Heasley | Cleveland. |
| 5 | 1 | Clermont | Allen T. Cowen | Batavia. |
| | | Brown | D. W. C. Loudon | Georgetown. |
| | | Adams | | |
| 5 | 2 | Ross | Thad. A. Minshall | Chillicothe. |
| | | Highland | Henry M. Huggins | Hillsboro. |
| | | Fayette | Ace Gregg | Washington C. H. |
| 5 | 3 | Franklin | Edward F. Bingham | Columbus. |
| | | Pickaway | Hawley J. Wylie | Columbus. |
| | | Madison | Eli P. Evans | Columbus. |
| | | | George Lincoln | London. |

¹ Appointed, vice W. L. Avery, resigned.² Appointed, vice J. M. Smith, elected Circuit Judge.³ Appointed, vice J. J. Moore, elected Circuit Judge.

JUDGES OF THE COURT OF COMMON PLEAS.—Continued.

| District. | Sub-div. | Counties. | Names. | Post-offices. |
|-----------|----------|------------------|--|-------------------|
| 6 | 1 | Licking | Samuel M. Hunter..... | Newark. |
| | | Knox | Charles H. McElroy | Delaware. |
| | | Delaware | | |
| 6 | 2 | Morrow | Jabez Dickey | Mt. Gilead. |
| | | Richland | Manuel May..... | Manassfield. |
| | | Ashland | | |
| 6 | 3 | Wayne | Charles C. Parsons, Sr..... | Wooster. |
| | | Holmes | Wellington Stillwell..... | Millersburg. |
| | | Coshocton | | |
| 7 | 1 | Fairfield..... | Silas H. Wright..... | Lancaster. |
| | | Perry | John S. Friesner..... | Logan. |
| | | Hocking..... | | |
| | | Jackson | | |
| 7 | 2 | Vinton | James Tripp | Jackson. |
| | | Pike | James W. Bannon..... | Portsmouth. |
| | | Scioto | | |
| | | Lawrence..... | | |
| 7 | 3 | Gallia | Francis C. Russell ¹ | Middleport. |
| | | Meigs | Hiram L. Sibley | Marietta. |
| | | Athens | | |
| | | Washington | | |
| | | Muskingum | | |
| 8 | 1 | Morgan | George L. Phillips..... | Zanesville. |
| | | Noble | Jas. W. Campbell | Cambridge. |
| | | Guernsey..... | | |
| 8 | 2 | Belmont | Kelly St. Clair..... | St. Clairsville. |
| | | Monroe | | |
| 8 | 3 | Jefferson | John S. Pearce | Cadiz. |
| | | Harrison | J. C. Hance | New Philadelphia. |
| | | Tuscarawas..... | | |
| 9 | 1 | Stark | Anson Pease | Canton. |
| | | Carroll | Jonathan H. Wallace ² | New Lisbon. |
| | | Columbiana | | |
| 9 | 2 | Trumbull..... | Wm. T. Spear | Warren. |
| | | Portage | G. F. Arrell | Youngstown. |
| | | Mahoning..... | | |
| 9 | 3 | Geauga | L. S. Sherman | Ashtabula. |
| | | Lake | D. W. Canfield | Jefferson. |
| | | Ashtabula | | |
| | | Wood | | |
| 10 | 1 | Hancock | Henry H. Dodge | Perrysburg. |
| | | Seneca | Geo. F. Pendleton | Findlay. |
| | | Hardin | | |
| 10 | 2 | Crawford | Caleb H. Norris ³ | Marion. |
| | | Marion | | |
| | | Wyandot..... | | |
| 10 | 3 | Union | John A. Price | Bellefontaine. |
| | | Logan | | |

¹ Appointed, vice J. P. Bradbury, elected Circuit Judge.² Appointed, vice Thomas Beer, elected Circuit Judge.³ Appointed, vice Peter A. Laubie elected Circuit Judge.

PROBATE JUDGES, CLERKS OF COURTS, SHERIFFS AND PROSECUTING ATTORNEYS.

| Counties. | County Seats. | Probate Judges. | Clerks of Courts. | Sheriffs. | Prosecuting Attorneys |
|------------------|------------------------|----------------------------|---------------------------|---------------------------|-----------------------|
| Adams | West Union | Isaac N. Tolle | George W. Pettit | J. Mat. Long | Philip Handrehan. |
| Allen | Lima | Samuel S. Yoder | Eugene C. Mackenzie | William H. Harter | James B. Townsend. |
| Ashtabula | Ashtabula | James Atcherson | Cloyd Mansfield | Randolph F. Andress | E. N. Hawn. |
| Ashtabula | Jefferson | Edward C. Wade | Charles H. Simmons | Bernard W. Baldwin | Jas. P. Cadwell. |
| Auglaize | Ashtabula | William S. Wilson | Silas E. Hedges | John Boden | David L. Sleeper. |
| Belmont | Wapakoneta | John McLean | James A. Nichols | Thomas B. Baker | C. A. Layton. |
| Brown | St. Clairsville | Isaac H. Gaston | William B. Cash | Leroy C. Sedwick | Newell K. Kennon. |
| Butler | Georgetown | George P. Tyler | C. C. Blair | A. J. Thompson | D. V. Pearson. |
| Carroll | Hamilton | W. H. Hart | R. B. Milliken | George W. St. Clair | W. C. Shepherd. |
| Champaign | Carroll | James Holder | Harvey B. Gregg | John Skeels | Irvin H. Rhythe. |
| Clarke | Urbana | David W. Todd | Griffith Ellis | Ridgely P. Wilkins | Ever P. Middleton. |
| Clermont | Springfield | John C. Miller | James H. Rabbitts | William B. Baker | Walter L. Weaver. |
| Columbiana | Batavia | James B. Swing | A. B. Shaw | John C. Smith | Louis Hicks. |
| Coshocton | Wilmington | Amrose N. Williams | Frank D. Dakin | John Harbaugh | Edward J. West. |
| Crawford | New Lisbon | Holder Blackman | Samuel Gamble | Andrew Miller | Robert W. Taylor. |
| Cuyahoga | Coshocton | Fredrick Hipp | Alex. A. Ruhl | John Kell | A. H. Stillwell. |
| Darke | Cleveland | Daniel R. Tilden | Henry W. Kitchen | Chas. C. Dewaloe | Anson Wickham. |
| Defiance | Greenville | Samuel H. Kolp | John H. Martin | Thas. A. Lecklider | Alex. Hadden. |
| Delaware | Defiance | John H. Bevington | Simon H. Cameron | Henry Wonderly | John W. Winn. |
| Erie | Delaware | Rufus Carpenter | Charles M. Jaynes | James E. White | Jas. T. Shoup, Jr. |
| Fairfield | Sandusky | Albert E. Merrill | Silas E. Bauer | Thomas A. Hughes | W. B. Winor. |
| Fayette | Washington C. H. | John T. Buby | E. W. Weckhinner | Benjamin F. Price | M. A. Daugherty, Jr. |
| Franklin | Columbus | Thomas N. Craig | John J. Joyce | A. R. Rankin | Robert C. Miller. |
| Fulton | Washington | Charles G. Smith | Albert D. Smith | Louis Helmiller | R. B. Montgomery. |
| Gallia | Wadsworth | Levi W. Brown | H. R. Redbury | Frank T. Blair | W. H. C. Becker. |
| Geauga | Gallipolis | John J. Thomas | Brainerd D. Ains | William Martin | Leonard P. Barrow. |
| Greene | Chardon | Henry K. Smith | John A. Gies | James A. Johnston | Joseph N. Dean. |
| Guernsey | Xenia | John B. Cooper | James T. Barr | Hugh F. McDonald | M. R. Patterson. |
| Hamilton | Cambridge | Lot P. H. Beck | Frank E. Hay | Samuel McManus | Wm. H. Fugh. |
| Hancock | Findlay | Herman P. Goebel | Pratley E. Hay | Lewis H. Wells | Henry Brown. |
| Hardin | Kenton | James W. Meyer | James C. Howe | Jederson C. Glover | Chas. M. Melhorn. |
| Harrison | Knox | Amos Lemmon | E. E. McNamee | Frederick A. Allen | John M. Garbird. |
| Henry | Napoleon | David Meekison | James Donovan | J. H. McInaughney | R. W. Cahill. |
| Hocking | Logan | Robert J. Dickey | George W. Botes | Thomas F. McCarthy | C. H. Buerhaus. |
| Holmes | Millersburg | William T. Acker | Arthur McCarty | Barney Christopher | Sam'l N. Schwartz. |
| Huron | Norwalk | R. W. Tannehill | Samuel Anderson | David C. King | Lewis C. Laylin. |
| Jackson | Norwalk | H. C. Miller | A. M. Beattie | James M. Lively | E. C. Powell. |
| Jackson | Staubenville | Henry L. Kennan | Frank Crumit | Benjamin M. Sharp | Henry Gregg. |
| Knox | Mt. Vernon | William V. B. Crokey | Ross White | Allen J. Beach | Samuel L. Gatshall. |
| Lake | Painesville | George W. Shepherd | John C. Ward | John Austin | Clinton D. Clark. |
| Lawrence | Ironton | George W. Thompson | David C. McConn | Thomas H. B. Jones | Thomas Johnson. |
| Licking | Newark | David A. Allen | Charles T. Dickison | George W. Hall | John M. Swartz. |
| Logan | Bellevue | Thomas Miltenberger | Sol. A. McColloch | William H. Lloyd | Walter S. Plum. |
| Lorain | Elyria | Edgar H. Hinman | Henry J. Lewis | Calvin Ensign | Wm. G. Sharp. |

| | | | | | |
|------------------|------------------------|-------------------------|-----------------------|---------------------------|--------------------------|
| Lucas..... | Lucas..... | Joseph W. Cumming | R. C. Quiggle | John S. Harbeck, Jr. | Jas. H. Southard..... |
| Madison..... | London..... | Oliver P. Grubb | Harry N. Blair | John B. Johnston | D. C. Badger..... |
| Manitowish..... | Youngestown | John W. King | Lloyd Forthing | Ell B. Walker | Blaisy Rogers..... |
| Marion..... | John R. Griswell | John T. Graves | John H. Thomas | Frank C. Heckley | Stephen A. Court..... |
| Medina..... | John T. Graves | John T. Graves | Charles Nell | O. B. Dealing | Joseph Andrew..... |
| Meliss..... | John T. Graves | John T. Graves | R. C. Rice | H. C. Hayman | B. H. Lockhart..... |
| Mercer..... | John T. Graves | John T. Graves | Edward Lanfair | Theo. P. Fouville | B. M. Clendenning..... |
| Miami..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Sam'l C. Jones..... |
| Monroe..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John B. Briggs..... |
| Montgomery..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John M. Sprigg..... |
| Morgan..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Frank F. Metcalf..... |
| Morrow..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | T. S. White..... |
| Noble..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Benj. F. Power..... |
| Paulding..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Capell L. Wyams..... |
| Perry..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Adolpus Kraemer..... |
| Pickaway..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Lewis H. Plattner..... |
| Pike..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Jas. E. Johnston..... |
| Portage..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Clarence Curtain..... |
| Preble | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John A. Elyar..... |
| Putnam..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Albert M. Crisler..... |
| Richland..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | W. C. G. Krauss..... |
| Ross..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Jas. P. Seaward..... |
| Sandusky | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | R. R. Freeman..... |
| Scioto..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | George Kinney..... |
| Seneca..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Theodore K. Funk..... |
| Shelby..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Perry M. Adams..... |
| Stark..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Geo. A. Marshall..... |
| Summit..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John T. Welty..... |
| Trumbull..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Chas. Baird..... |
| Tuscarawas..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Thos. H. Gillmer..... |
| Union..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Poster J. Wilkin..... |
| Van Wert..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John M. Brodbeck..... |
| Vinton..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | A. L. Sweet..... |
| Warren..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Wm. S. Hudson..... |
| Washington | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John K. O'Neill..... |
| Wayne..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | L. W. Ellenwood..... |
| Williams..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | John McSweeney, Jr..... |
| Wood..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Robt. A. Scott..... |
| Wyandot..... | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Robt. S. Parker..... |
| | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Jas. T. Close..... |
| | John T. Graves | John T. Graves | John B. Latford | John M. Campbell | Charles F. Schuster..... |

THE TIMES OF HOLDING THE CIRCUIT COURTS IN OHIO IN 1885.

FIRST JUDICIAL CIRCUIT.

Hamilton county, on the 16th day of February, and the 26th day of October.
 Clermont county, on the 7th day of April, and the 14th day of September.
 Butler county, on the 20th day of April, and the 21st day of September.
 Warren county, on the 11th day of May, and the 5th day of October.
 Clinton county, on the 18th day of May, and the 19th day of October.
 Said terms to begin at 10 o'clock A. M.

SECOND JUDICIAL CIRCUIT.

Franklin county, on the 23d day of February, and the 21st day of September.
 Madison county, on the 30th day of March, and the 5th day of October.
 Greene county, on the 6th day of April, and the 12th day of October.
 Shelby county, on the 20th day of April, and the 19th day of October.
 Champaign county, on the 27th day of April, and the 26th day of October.
 Miami county, on the 4th day of May, and the 2d day of November.
 Preble county, on the 11th day of May, and the 9th day of November.
 Darke county, on the 18th day of May, and the 16th day of November.
 Fayette county, on the 25th day of May, and the 30th day of November.
 Montgomery county, on the 8th day of June, and the 7th day of December.
 Clarke county, on the 22d day of June, and the 17th day of December.
 Said terms to begin at 10 o'clock A. M.

THIRD JUDICIAL CIRCUIT.

Logan county, on the 3d day of March, and the 26th day of October.
 Wood county, on the 10th day of March, and the 19th day of October.
 Marion county, on the 24th day of March, and the 14th day of September.
 Wyandot county, on the 6th day of April, and the 21st day of September.
 Crawford county, on the 9th day of April, and the 29th day of October.
 Fulton county, on the 13th day of April, and the 3d day of November.
 Williams county, on the 14th day of April, and the 5th day of November.
 Henry county, on the 20th day of April, and the 17th day of November.
 Putnam county, on the 23d day of April, and the 9th day of November.
 Union county, on the 28th day of April, and the 1st day of December.
 Seneca county, on the 7th day of May, and the 5th day of October.
 Hancock county, on the 18th day of May, and the 24th day of September.
 Hardin county, on the 25th day of May, and the 11th day of December.
 Defiance county, on the 1st day of June, and the 19th day of November.
 Paulding county, on the 5th day of June, and the 24th day of November.
 Van Wert county, on the 8th day of June, and the 12th day of November.
 Auglaize county, on the 12th day of June, and the 26th day of November.
 Mercer county, on the 15th day of June, and the 8th day of December.
 Allen county, on the 18th day of June, and the 17th day of December.
 Said terms to begin at 10 o'clock A. M.

FOURTH JUDICIAL CIRCUIT.

Monroe county, on the 10th day of March, and the 8th day of September.
 Washington county, on the 12th day of March, and the 10th day of September.
 Athens county, on the 19th day of March, and the 17th day of September.
 Hocking county, on the 26th day of March, and the 24th day of September.
 Vinton county, on the 31st day of March, and the 29th day of September.
 Meigs county, on the 6th day of April, and the 3d day of October.
 Gallia county, on the 11th day of April, and the 19th day of October.
 Lawrence county, on the 20th day of April, and the 26th day of October.

Scioto county, on the 24th day of April, and the 30th day of October.
 Jackson county, on the 1st day of May, and the 15th day of December.
 Adams county, on the 18th day of May, and the 6th day of November.
 Brown county, on the 25th day of May, and the 13th day of November.
 Highland county, on the 1st day of June, and the 20th day of November.
 Pickaway county, on the 8th day of June, and the 27th day of November.
 Ross county, on the 15th day of June, and the 4th day of December.
 Pike county, on the 22d day of June, and the 11th day of December.
 Said terms to begin at 10 o'clock A. M.

FIFTH JUDICIAL CIRCUIT.

Wayne county, on the 10th day of March, and the 8th day of September.
 Morgan county, on the 17th day of March, and the 15th day of September.
 Ashland county, on the 24th day of March, and the 22d day of September.
 Richland county, on the 31st day of March, and the 29th day of September.
 Morrow county, on the 14th day of April, and the 6th day of October.
 Stark county, on the 21st day of April, and the 13th day of October.
 Tuscarawas county, on the 5th day of May, and the 20th day of October.
 Coshocton county, on the 12th day of May, and the 27th day of October.
 Knox county, on the 19th day of May, and the 3d day of November.
 Muskingum county, on the 26th day of May, and the 10th day of November.
 Delaware county, on the 2d day of June, and the 17th day of November.
 Licking county, on the 9th day of June, and the 24th day of November.
 Holmes county, on the 23d day of June, and the 1st day of December.
 Perry county, on the 30th day of June, and the 8th day of December.
 Fairfield county, on the 7th day of July, and the 15th day of December.
 Said terms to begin at 10 o'clock A. M.

SIXTH JUDICIAL CIRCUIT.

Cuyahoga county, on the 12th day of February, and the 15th day of September.
 Lucas county, on the 31st day of March, and the 10th day of November.
 Summit county, on the 28th day of April, and the 21st day of December.
 Medina county, on the 12th day of May, and the 18th day of December.
 Lorain county, on the 14th day of May, and the 14th day of December.
 Huron county, on the 26th day of May, and the 10th day of December.
 Sandusky county, on the 2d day of June, and the 7th day of December.
 Ottawa county, on the 8th day of June, and the 1st day of December.
 Erie county, on the 11th day of June, and the 2d day of December.
 Said terms to begin at 10 o'clock A. M., except the 1st in Cuyahoga county, which will begin at 9 A. M.

SEVENTH JUDICIAL CIRCUIT.

Carroll county, on the 3d day of March, and the 20th day of October.
 Columbiana county, on the 10th day of March, and the 23d day of October.
 Portage county, on the 17th day of March, and the 10th day of November.
 Mahoning county, on the 24th day of March, and the 17th day of November.
 Ashtabula county, on the 7th day of April, and the 30th day of June.
 Lake county, on the 21st day of April, and the 29th day of October.
 Geauga county, on the 5th day of May, and the 24th day of September.
 Trumbull county, on the 12th day of May, and the 29th day of September.
 Harrison county, on the 28th day of May, and the 28th day of November.
 Jefferson county, on the 2d day of June, and the 30th day of November.
 Guernsey county, on the 9th day of June, and the 8th day of December.
 Noble county, on the 12th day of June, and the 4th day of December.
 Belmont county, on the 16th day of June, and the 15th day of December.
 Said terms to begin at 9 o'clock A. M.

TIMES OF HOLDING THE COURTS OF COMMON PLEAS IN OHIO IN 1885.

FIRST DISTRICT.

Hamilton, 1st Monday January, 2d Monday May, 1st Monday November.

SECOND DISTRICT.

Butler, January 12, May 4, October 19.
 Montgomery, January 12, May 4, October 19.
 Darke, January 12, May 4, October 19.
 Clinton, January 12, May 4, October 19.
 Warren, January 19, May 4, October 19.
 Clarke, January 19, May 11, October 19.
 Greene, January 12, May 4, October 19.
 Champaign, January 19, May 11, October 19.
 Miami, January 12, May 4, October 19.
 Preble, February 16, June 8, November 16.

THIRD DISTRICT.

Allen, February 9, May 4, October 19.
 Auglaise, January 6, April 7, September 15.
 Defiance, January 26, May 4, October 19.
 Fulton, February 9, May 4, October 19.
 Henry, January 12, April 6, September 8.
 Mercer, March 9, May 25, November 16.
 Paulding, January 12, April 13, September 7.
 Putnam, March 9, June 1, November 16.
 Shelby, January 5, April 6, September 14.
 Van Wert, January 26, April 27, October 19.
 Williams, February 23, June 1, November 23.

FOURTH DISTRICT.

Erie, February 2, May 4, October 19.
 Huron, February 9, May 11, October 26.
 Lucas, January 5, April 6, October 5.
 Sandusky, January 5, April 6, September 14.
 Ottawa, January 12, April 13, September 28.
 Lorain, January 26, May 25, October 19.
 Medina, January 5, April 20, September 21.
 Summit, January 12, May 11, October 19.
 Cuyahoga, January 5, April 6, September 14.

FIFTH DISTRICT.

Adams, January 13, April 7, September 29.
 Clermont, January 12, May 5, October 20.
 Brown, February 10, May 19, October 27.
 Highland, January 26, May 11, October 19.
 Ross, January 19, April 20, October 5.
 Fayette, January 12, May 4, October 19.
 Franklin, January 5, April 13, September 21.
 Madison, February 24, May 19, November 8.
 Pickaway, January 6, April 7, September 8.

SIXTH DISTRICT.

Delaware, January 12, April 13, September 28.
 Knox, February 24, May 26, November 10.
 Licking, January 5, May 4, October 19.
 Ashland, March 3, September 15, December 1.
 Morrow, January 19, April 20, October 19.
 Richland, March 30, August 17, November 30.
 Coshocton, February 3, April 2, November 10.
 Holmes, January 5, March 2, August 31.
 Wayne, March 2, August 31, November 30.

SEVENTH DISTRICT.

Athens, February 16, June 1, November 16.
 Fairfield, January 19, April 20, October 19.
 Gallia, February 16, May 25, November 9.
 Hocking, February 16, May 18, November 16.
 Jackson, February 16, June 1, November 23.
 Lawrence, March 2, May 25, November 16.
 Meigs, January 19, May 4, October 19.
 Perry, March 9, June 8, December 7.
 Pike, January 26, May 4, November 2.
 Scioto, January 26, April 13, October 19.
 Vinton, January 12, April 6, October 13.
 Washington, January 12, April 27, October 19.

EIGHTH DISTRICT.

Muskingum, January 19, April 20, November 9.
 Morgan, March 24, June 16, October 14.
 Noble, February 17, May 19, October 14.
 Guernsey, January 19, April 20, November 9.
 Belmont, February 3, May 26, November 3.
 Monroe, January 13, May 5, October 14.
 Jefferson, January 20, April 28, October 14.
 Tuscarawas, February 10, April 14, October 28.
 Harrison, January 20, April 7, October 14.

NINTH DISTRICT.

Carroll, January 5, May 4, October 26.
 Stark, January 19, May 4, October 19.
 Columbiana, January 19, May 18, November 9.
 Mahoning, January 5, May 4, September 7.
 Trumbull, February 9, June 1, October 19.
 Portage, January 5, May 4, September 7.
 Lake, February 16, June 1, November 16.
 Geauga, January 19, May 4, October 19.
 Ashtabula, January 19, May 4, October 19.

TENTH DISTRICT.

Crawford, January 19, April 27, September 14.
 Hardin, January 19, April 13, September 14.
 Hancock, February 23, May 25, October 26.
 Logan, January 5, March 30, September 7.
 Marion, February 16, May 18, October 19.
 Seneca, February 23, May 25, October 26.
 Union, February 16, May 18, October 19.
 Wood, January 19, April 13, September 14.
 Wyandot, March 16, June 8, November 16.

OFFICE OF THE SECRETARY OF STATE,
COLUMBUS, O., June 6, 1885.

I do hereby certify that the foregoing, beginning on page 462, is a correct statement of the times of holding the Circuit Courts and Courts of Common Pleas in the several counties in the state of Ohio for the year 1885, taken from the official lists returned by the judges of said courts to this office, and from the acts of the General Assembly amending the same.

[SEAL.]

JAMES S. ROBINSON,
Secretary of State.

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